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JOURNAL  
OF  
THE SENATE  
OF THE  
GENERAL ASSEMBLY  
OF THE  
STATE OF NORTH CAROLINA

SESSION 1943

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JOURNAL

# THE SENATE

OF THE STATE OF NORTH CAROLINA

IN SENATE, JANUARY 18, 1893.

REPORT



# OFFICERS AND MEMBERS

of

## THE SENATE OF NORTH CAROLINA

### SESSION 1943

R. L. HARRIS, *President*.....Person  
 J. HAMPTON PRICE, *President pro tem*.....Rockingham  
 S. RAY BYERLY, *Principal Clerk*.....Lee  
 JOHN W. MCDEVITT, *Reading Clerk*.....Jackson  
 HERMAN SCOTT, *Sergeant-at-Arms*.....Chatham

DISTRICT	NAME	ADDRESS
1	MERRILL EVANS .....	Ahoskie
1	HERBERT LEARY .....	Edenton
2	E. A. DANIEL .....	Washington
2	HUGH G. HORTON.....	Williamston
3	G. W. POINDEXTER.....	Warrenton
4	W. G. CLARK .....	Tarboro
4	D. MAC JOHNSON.....	Enfield
5	J. C. LANIER.....	Greenville
6	JOSEPH C. EAGLES.....	Wilson
6	VAN S. WATSON.....	Rocky Mount
7	JOHN D. LARKINS, JR.....	Trenton
7	K. A. PITTMAN.....	Snow Hill
8	J. B. BENTON.....	Benson
8	THOMAS O'BERRY.....	Goldsboro
9	RIVERS D. JOHNSON.....	Warsaw
9	J. E. L. WADE.....	Wilmington
10	R. C. HARRELSON.....	Tabor City
10	J. W. RUARK.....	Southport
11	CARSON M. BARKER.....	Lumberton
12	L. M. CHAFFIN.....	Lillington
12	WILBUR H. CURRIE.....	Carthage
13	L. Y. BALLENTINE.....	Varina
13	WADE BARBER .....	Pittsboro
14	E. C. BROOKS, JR.....	Durham
14	JOHN S. WATKINS.....	Oxford, Rt. 4
15	J. HAMPTON PRICE.....	Leaksville
16	E. T. SANDERS.....	Burlington
17	D. E. HUDGINS.....	Greensboro
18	JOHN W. COLE.....	Rockingham
18	J. P. WALLACE.....	Troy
19	COBLE FUNDERBURK .....	Monroe
19	H. P. TAYLOR.....	Wadesboro
20	JOE L. BLYTHE.....	Charlotte
21	EDWIN C. GREGORY.....	Salisbury
21	A. B. PALMER.....	Concord
22	IRVING E. CARLYLE.....	Winston-Salem
23	RAYMOND SMITH .....	Mt. Airy
24	B. C. BROCK (R).....	Mocksville
24	WILLIAM A. GRAHAM.....	Iron Station
25	HUGH G. MITCHELL.....	Statesville
26	R. G. CHERRY.....	Gastonia
27	WADE B. MATHENY.....	Forest City
27	LEE B. WEATHERS.....	Shelby
28	MAX C. WILSON.....	Lenoir
29	H. GRADY FARTHING.....	Boone
30	CHAS. L. BROWN (R).....	Burnsville
31	BRANDON P. HODGES.....	Asheville
32	J. T. BAILEY.....	Canton
32	MRS. E. L. MCKEE.....	Sylva
33	E. B. WHITAKER.....	Bryson City

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# SENATE JOURNAL

SESSION 1943

## FIRST DAY

SENATE CHAMBER,

Wednesday, January 6, 1943.

In accordance with law, at the hour of 12 M. the Senate of the General Assembly of North Carolina assembles this day in the Senate Chamber in the City of Raleigh.

Honorable R. L. Harris, Lieutenant Governor, calls the Senate to order.

Prayer is offered by Rev. Forrest C. Feezor of the Tabernacle Baptist Church, Raleigh, N. C.

The roll of the Senate is called and the following Senators-elect appear with the proper certificates of election and take and subscribe to the following oath of office, which is administered by Associate Justice W. A. Devin of the Supreme Court.

"Do you, and each of you, solemnly and sincerely swear that you will support the Constitution of the United States. So help you God?"

"Do you, and each of you, solemnly and sincerely swear that you will be faithful and bear true allegiance to the State of North Carolina, and to the Constitutional powers which are or may be established for the government thereof; and will you endeavor to support, maintain and defend the Constitution of said State not inconsistent with the Constitution of the United States to the best of your knowledge and ability. Do you, and each of you, solemnly and sincerely swear that you will faithfully discharge your duties as Senators of the State of North Carolina. So help you God?"

*First District*—Merrill Evans and Herbert Leary

*Second District*—E. A. Daniel and Hugh G. Horton

*Third District*—G. W. Poindexter

*Fourth District*—W. G. Clark and D. Mac Johnson

*Fifth District*—J. C. Lanier

*Sixth District*—Joseph C. Eagles and Van S. Watson

*Seventh District*—John D. Larkins, Jr., and K. A. Pittman

*Eighth District*—J. B. Benton and Thomas O'Berry

*Ninth District*—Rivers D. Johnson and J. E. L. Wade

*Tenth District*—R. C. Harrelson and J. W. Ruark

*Eleventh District*—Carson M. Barker

*Twelfth District*—L. M. Chaffin and Wilbur H. Currie

*Thirteenth District*—L. Y. Ballentine and Wade Barber

*Fourteenth District*—E. C. Brooks, Jr., and John S. Watkins

*Fifteenth District*—J. Hampton Price

*Sixteenth District*—E. T. Sanders  
*Seventeenth District*—D. E. Hudgins  
*Eighteenth District*—John W. Cole and J. P. Wallace  
*Nineteenth District*—Coble Funderburk and H. P. Taylor  
*Twentieth District*—Joe L. Blythe  
*Twenty-first District*—Edwin C. Gregory and A. B. Palmer  
*Twenty-second District*—Irving E. Carlyle  
*Twenty-third District*—Raymond Smith  
*Twenty-fourth District*—B. C. Brock  
*Twenty-fifth District*—William A. Graham and Hugh G. Mitchell  
*Twenty-seventh District*—Wade B. Matheny and Lee B. Weathers  
*Twenty-eighth District*—Max C. Wilson  
*Twenty-ninth District*—H. Grady Farthing  
*Thirtieth District*—Charles L. Brown  
*Thirty-first District*—Brandon P. Hodges  
*Thirty-second District*—J. T. Bailey and Mrs. E. L. McKee  
*Thirty-third District*—E. B. Whitaker

It appearing that a quorum of all Senators are present, the President announces that the Senate is ready to proceed with the election of officers.

#### ELECTION OF OFFICERS

For President *pro tempore* of the Senate, Senator Ballentine places in nomination Senator J. Hampton Price.

Senator Sanders seconds the nomination.

There being no further nominations the roll of the Senate is called.

Those voting for Senator Price are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—49.

Senator Price having received the unanimous vote of the Senators present is declared duly elected and he takes the prescribed oath of office.

For Principal Clerk of the Senate, Senator Pittman places in nomination S. Ray Byerly of Lee County.

Senator Whitaker seconds the nomination.

There being no further nominations the roll of the Senate is called.

Those voting for Mr. Byerly are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—49.



Mr. Byerly having received the unanimous vote of the Senators present is declared duly elected and he takes the prescribed oath of office.

For Sergeant-at-arms of the Senate, Senator Barber places in nomination Herman Scott of Chatham County.

Senator Sanders seconds the nomination.

There being no further nominations the roll of the Senate is called.

Those voting for Mr. Scott are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—49.

Mr. Scott having received the unanimous vote of the Senators present is declared duly elected and he takes the prescribed oath of office.

For Reading Clerk of the Senate, Senator McKee places in nomination John Worth McDevitt of Jackson County.

Senator Sanders seconds the nomination.

There being no further nominations the roll of the Senate is called.

Those voting for Mr. McDevitt are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—49.

Mr. McDevitt having received the unanimous vote of the Senators present is declared duly elected and he takes the prescribed oath of office.

A message is ordered sent to the House of Representatives informing that Honorable Body that the Senate is organized and ready to proceed with public business.

Upon motion of Senator Price, the rules of the 1941 Senate are adopted temporarily as the rules of this Body.

#### APPOINTMENTS

The President announces the appointment of the following standing Committee:

*Committee on Rules*—Senators Price, Chairman; Sanders, Johnson of Duplin, Clark, Larkins, Cherry, Evans, Weathers, Horton, Carlyle, O'Berry, Eagles, Watkins, Taylor, Palmer, Blythe, Johnson of Halifax, Ballentine.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Price: S. R. 1, a joint resolution informing His Excel-

lency, the Governor, that the General Assembly is ready to proceed with public business.

Upon motion of Senator Price, the rules are suspended and the resolution is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives by special messenger, without engrossment.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

HOUSE OF REPRESENTATIVES,  
Wednesday, January 6, 1943.

*Mr. President:*

It is ordered that a message be sent informing your Honorable Body that the House of Representatives is organized and is now ready to proceed with public business and for your information, advises that the following officers have been elected:

<i>Speaker</i> .....	John Kerr, Jr.
<i>Principal Clerk</i> .....	Shearon Harris
<i>Reading Clerk</i> .....	Ralph Monger, Jr.
<i>Sergeant-at-Arms</i> .....	H. L. Joyner

Respectfully,

SHEARON HARRIS, *Principal Clerk.*

The President makes the following statement, which upon motion of Senator Johnson of Duplin, unanimously carried, is ordered incorporated in the Journal:

"The Chair would like to call the attention of this Body to the fact that our deliberations here take place in the midst of unprecedented events of world-wide significance.

"The Chair does think that any one of you were members of the Assembly during the first World War. Many of you took part in that conflict and we continue to honor you because of this.

"We are presently engaged in another world struggle which deserves the very first place in our thinking and in any plans that we make. The business of winning the war is, and should be, the first consideration. Compared with this, all other matters are of small importance.

"It would be unbecoming for the Chair to make any reference to impending legislation. However, the Chair hopes that members will give their serious attention to very important matters. This is no time to be concerned with petty issues. It is to be hoped that members will not propose bills for enactment that are not clearly needed and beneficial either to the Commonwealth or to their communities. The Chair counsels you not to pass any bills under suspension of the rules. Any bill which needs to be enacted deserves committee consideration and should not be acted upon hastily. We can and must transact the business of the State; but this Assembly has the opportunity to set an example of which Washington and the Nation may well take note and to which we may well point with pride.



"The Chair very respectfully suggests and earnestly hopes that due to the present problem of transportation, if for no other reason, that we make up our minds to abandon as speedily as possible the long week-end recess. After the committees begin to function properly, we can do our work effectively and thereby shorten the Session considerably, provided we are willing and determined to do this.

"The Chair very solemnly pledges its best efforts in this direction."

#### APPOINTMENTS

The President announces the appointment of the following standing Committees:

Committee on Agriculture—Senators Ballentine, Chairman; Watkins, Graham, Evans, Lanier, Eagles, Watson, Clark, Horton, Pittman, Johnson of Halifax, Chaffin, Weathers, O'Berry, Barker, Farthing, Benton, Wilson, Harrelson.

Committee on Appropriations—Senators Taylor, Chairman; Weathers, Evans, Barber, Lanier, Watkins, Smith, Watson, McKee, Whitaker, Pittman, Funderburk, Daniel, Eagles, Farthing, Wade, Ruark, Chaffin, Wallace, Hodges, Brooks, Mitchell, Wilson, Barker, Brock.

Committee on Banks and Currency—Senators Graham, Chairman; Matheny, Smith, Ballentine, Poindexter, Barber, O'Berry, Whitaker, Carlyle, Price, Clark, Brooks, Lanier, Gregory, Larkins, Farthing, Taylor.

Committee on Caswell Training School—Senators Barker, Chairman; Pittman, Lanier, O'Berry, Larkins, Bailey, Clark, Hudgins, Mitchell, Johnson of Duplin, Wade.

Committee on Claims—Senators Harrelson, Chairman; Bailey, Leary, Chaffin, Benton, Palmer, Taylor, Watkins.

Committee on Commercial Fisheries—Senators Ruark, Chairman; Leary, Wade, Larkins, Gregory, Daniel, Horton, Lanier, Bailey.

Committee on Congressional Districts—Senators Hodges, Chairman; Sanders, Palmer, Leary, Blythe, Price, Weathers, Larkins, Funderburk, Eagles, Benton, Wade.

Committee on Conservation and Development—Senators Watson, Chairman; Ballentine, Farthing, Evans, Sanders, Benton, Hodges, Barber, Graham, Johnson of Halifax, Blythe, Pittman, Leary, Poindexter, Daniel, Bailey, Wilson, Cole, McKee.

Committee on Consolidated Statutes—Senators Leary, Chairman; Matheny, Johnson of Duplin, Johnson of Halifax, Whitaker, Chaffin, Mitchell, Barber, Palmer, Daniel, Funderburk, Ruark.

Committee on Constitutional Amendments—Senators Brooks, Chairman; Cherry, Johnson of Duplin, Johnson of Halifax, Weathers, Gregory, Blythe, Matheny, Carlyle, Smith, Barber, Horton, Evans, Taylor.

Committee on Corporations—Senators Smith, Chairman; O'Berry, Sanders, Blythe, Cherry, Poindexter, Weathers, Hodges, Cole, Eagles, Matheny, Wallace.

Committee on Counties, Cities and Towns—Senators Watkins, Chairman; Johnson of Halifax, Price, Larkins, Funderburk, Clark, Benton.

Wade, Chaffin, Currie, Wallace, Farthing, Lanier, Whitaker, Ruark, Hodges, Mitchell, Barker, Brown.

Committee on Courts and Judicial Districts—Senators Barber, Chairman; Carlyle, Johnson of Duplin, Sanders, Palmer, Leary, Larkins, Whitaker, Matheny, Pittman, Daniel, Horton, Johnson of Halifax, Hudgins, Hodges, Price.

Committee on Distribution of Governor's Messages—Senators Wilson, Chairman; Taylor, Evans, Watson, Funderburk, Chaffin, Wallace, Mitchell, Farthing, Bailey, Brock.

Committee on Education—Senators Horton, Chairman; Carlyle, Cherry, Weathers, Brooks, Matheny, Evans, Chaffin, McKee, Farthing, Funderburk, O'Berry, Sanders, Smith, Johnson of Duplin, Eagles, Whitaker, Barber, Wilson, Watkins, Poindexter, Brown, Graham, Ruark, Wallace, Mitchell.

Committee on Election Laws—Senators Whitaker, Chairman; Larkins, Matheny, Horton, Cherry, Clark, Farthing, Hudgins, Smith, Gregory, Palmer, Wilson, Graham, Wallace, Brock.

Committee on Engrossed Bills—Senators Poindexter, Chairman; Watson, Graham, Benton, Cole, Currie, Ruark, Mitchell, Brock.

Committee on Enrolled Bills—Senators Wallace, Chairman; Watson, Whitaker, Pittman, Bailey, Barker, Harrelson, Brown.

Committee on Federal Relations—Senators Weathers, Chairman; Wade, Mitchell, Lanier, Barker, Blythe, Clark, McKee, Funderburk, Daniel, Carlyle, Brooks, Watkins.

Committee on Finance—Senators O'Berry, Chairman; Cherry, Sanders, Carlyle, Leary, Horton, Cole, Poindexter, Blythe, Clark, Price, Larkins, Palmer, Johnson of Duplin, Graham, Harrelson, Matheny, Benton, Currie, Ballentine, Bailey, Hudgins, Gregory, Johnson of Halifax, Brown.

Committee on Immigration—Senators Currie, Chairman; Funderburk, Larkins, Bailey, Barker, Wilson, Gregory, Wade, Brock.

Committee on Mental Institutions—Senators Clark, Chairman; McKee, O'Berry, Chaffin, Wilson, Ballentine, Pittman, Palmer, Benton, Funderburk, Larkins, Hudgins, Carlyle, Watkins, Taylor, Brooks.

Committee on Institutions for the Blind—Senators Benton, Chairman; Ballentine, Gregory, Bailey, Hodges, Mitchell, McKee, Wallace.

Committee on Institutions for the Deaf—Senators Wilson, Chairman; Benton, Ballentine, Matheny, McKee, Price, Cole, Currie, Hudgins.

Committee on Insurance—Senators Eagles, Chairman; Hudgins, Poindexter, Clark, O'Berry, Price, Sanders, Barber, Chaffin, Wade, Palmer, Weathers, Larkins, Johnson of Duplin, Graham, Carlyle, Whitaker, Blythe, Cherry, Watkins, Smith, Brock.

Committee on Internal Improvements—Senators Mitchell, Chairman; Sanders, Hudgins, Lanier, Ballentine, Palmer, Matheny, Benton, Wallace, Wade, McKee, Brown.

Committee on Journal—Senators Daniel, Chairman; Evans, Hodges, Cole, Harrelson, Graham, Farthing, Bailey, Chaffin, Johnson of Duplin.

Committee on Judiciary No. 1—Senators Johnson of Duplin, Chair-



man; Carlyle, Daniel, Funderburk, Larkins, Lanier, Palmer, Leary, Cherry, Mitchell, Barber, Chaffin, Brooks, Gregory.

Committee on Judiciary No. 2—Senators Sanders, Chairman; Hudgins, Price, Horton, Johnson of Halifax, Pittman, Matheny, Wilson, Hodges, Whitaker, Taylor, Ruark, Brock.

Committee on Justices of the Peace—Senators Cole, Chairman; Taylor, Hudgins, Leary, Pittman, Funderburk, Harrelson, Barker, Watkins, Johnson of Duplin.

Committee on Library—Senators Gregory, Chairman; Weathers, Ballentine, Leary, Johnson of Halifax, Cole, Currie, Bailey, Barker, Graham, Johnson of Duplin, Ruark, Smith, Watkins, McKee, Brown.

Committee on Manufacturing, Labor and Commerce—Senators Evans, Chairman; Smith, Currie, Cherry, McKee, Sanders, Cole, Matheny, Price, Johnson of Halifax, Carlyle, Watkins, O'Berry, Farthing.

Committee on Military Affairs—Senators Farthing, Chairman; Mitchell, Blythe, Cherry, Pittman, Sanders, Funderburk, Lanier, Horton, Harrelson, Cole, Smith, Brown, Johnson of Halifax, Carlyle, Chaffin.

Committee on Mining—Senators Bailey, Chairman; Gregory, Matheny, Whitaker, Hodges, Farthing, Wilson, Graham, Barber, Smith.

Committee on Penal Institutions—Senators Funderburk, Chairman; Horton, Watkins, Evans, Wilson, Pittman, Brooks, Weathers, Eagles, Farthing, Watson, Price, Matheny, Ruark, Brock.

Committee on Pensions and Soldiers' Home—Senator<sup>s</sup> Carlyle, Chairman; Palmer, Clark, Benton, Daniel, Taylor, Whitaker, McKee.

Committee on Printing—Senators Benton, Chairman; Weathers, Watkins, Harrelson, Evans, McKee, Barker, Ruark, Smith, Brock.

Committee on Propositions and Grievances—Senators Lanier, Chairman; Funderburk, Johnson of Halifax, Evans, Brooks, Pittman, Hodges, O'Berry, Taylor, Horton, Whitaker, Barber, Eagles, Sanders, Weathers, Watson, Farthing, Palmer, Carlyle, Brock.

Committee on Public Health—Senators Blythe, Chairman; McKee, Lanier, Harrelson, Poindexter, Ballentine, Hudgins, Sanders, O'Berry, Weathers, Daniel, Johnson of Halifax, Barber, Currie, Cherry, Mitchell, Brooks.

Committee on Public Roads—Senators Cherry, Chairman; Larkins, Sanders, Farthing, Chaffin, Evans, Blythe, Watson, Matheny, Price, Watkins, Ballentine, Daniel, Hodges, Barker, Currie, Cole, Graham, Bailey, O'Berry, Wilson.

Committee on Public Utilities—Senators Matheny, Chairman; Larkins, Johnson of Halifax, Brooks, Funderburk, Hudgins, Blythe, Hodges, Ballentine, Wade, Ruark, Chaffin, Wilson.

Committee on Public Welfare—Senators McKee, Chairman; O'Berry, Weathers, Daniel, Pittman, Lanier, Evans, Sanders, Palmer, Ballentine, Poindexter, Eagles, Currie, Cole.

Committee on Railroads—Senators Matheny, Chairman; Gregory, Brooks, Daniel, Wallace, Mitchell, Taylor, Barber, Bailey, Harrelson.

Committee on Recodification—Senators Pittman, Chairman; Carlyle, Horton, Matheny, Lanier, Larkins, Leary, Brooks, Hudgins, Price, Taylor, Gregory, Cherry, Hodges, Wilson, Sanders, Brock.



Committee on Salaries and Fees—Senators Palmer, Chairman; Lanier, Daniel, Blythe, Eagles, Johnson of Halifax, Ruark, Barker, Currie, Wallace, Carlyle, Whitaker, Pittman, Watson, Evans, Wade.

Committee on Rules—Senators Price, Chairman; Sanders, Johnson of Duplin, Clark, Larkins, Cherry, Evans, Weathers, Horton, Carlyle, O'Berry, Eagles, Watkins, Taylor, Palmer, Blythe, Johnson of Halifax, Ballentine.

Committee on Expenditures—Senators Chaffin, Chairman; Taylor, Gregory, Smith, Whitaker, Leary, Farthing, Harrelson, Watkins, Poindexter, Brown.

Committee on Senatorial Districts—Senators Johnson of Halifax, Chairman; Sanders, Poindexter, Barber, Watkins, Hudgins, Price, Palmer, Weathers, Gregory, Funderburk, Wilson, Currie, Cole, Brock.

Committee on Trustees of the University—Senators Hudgins, Chairman; O'Berry, Palmer, Gregory, Horton, Daniel, Clark, Lanier, Price, Blythe, Graham, Harrelson, McKee, Hodges, Brooks, Brown, Leary.

Committee on Unemployment Compensation—Senators Larkins, Chairman; Smith, Horton, Brooks, Hodges, Weathers, Currie, Eagles, Taylor, Palmer, Lanier, Whitaker, Cherry, Wilson, Hudgins, Poindexter, Wallace.

Committee on Water Commerce—Senators Wade, Chairman; Evans, Ruark, Leary, Horton, Daniel, Larkins, Pittman, Harrelson, Benton, Lanier, Eagles.

The President appoints as a committee on the part of the Senate to act with a like committee on the part of the House of Representatives to escort the Governor to the Hall of the House of Representatives to address a Joint Session, Senators Price and Ballentine, and a message is ordered sent to the House of Representatives informing that Body of such action.

Upon motion of Senator Price, the Senate adjourns to meet tomorrow morning at 11 o'clock.

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## SECOND DAY

SENATE CHAMBER,

Thursday, January 7, 1943

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Upon motion of Senator Ballentine, the reading of the Journal of yesterday is dispensed with and the same stands approved.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Taylor: S. B. 2, a bill to create a State Post-War Reserve Fund, and making an appropriation of \$20,000,000.00 from the General Fund of the State.

Referred to Committee on Appropriations.

By Senator Leary: S. B. 3, a bill to extend the minimum school term required by Article IX of the Constitution of North Carolina to embrace a total of one hundred and eighty days of school.

Referred to Committee on Education.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 2, a bill to fill a vacancy in the membership of the Board of Welfare of Burke County.

Upon motion of Senator Wilson, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

HOUSE OF REPRESENTATIVES,  
Wednesday, January 6, 1943.

*Mr. President:*

It is ordered that a message be sent your Honorable Body with the information that pursuant to S. R. 1, entitled "A Joint Resolution informing His Excellency, the Governor, that the General Assembly is ready to proceed with public business," the Speaker has appointed the following Committee on the part of the House of Representatives to act with a like Committee designated by the Senate: Messrs. Allen, Arch T., Uzzell and Stone.

Respectfully,  
SHEARON HARRIS, *Principal Clerk.*

HOUSE OF REPRESENTATIVES,  
Thursday, January 7, 1943.

*Mr. President:*

It is ordered that a message be sent your Honorable Body that pursuant to Joint Resolution 1, entitled "Joint Resolution informing His Excellency, the Governor, that the General Assembly is ready to proceed with public business", the House of Representatives is now ready to receive the Senate to sit in Joint Session for the purpose of hearing the message of His Excellency, Governor J. Melville Broughton, to the General Assembly.

Respectfully,  
SHEARON HARRIS, *Principal Clerk.*

The President announces that in accordance with the joint resolution inviting the Governor to address a joint session of the Legislature, the hour having arrived for the delivery of his message, the Senate preceded by its officers, will repair to the Hall of the House of Representatives, there to sit in joint session with that Honorable Body.



## JOINT SESSION

The Senate is received by the members of the House of Representatives standing, and the joint session is called to order by Lieutenant Governor R. L. Harris.

Senator Ballentine on the part of the Committee appointed by the President of the Senate and the Speaker of the House of Representatives to escort the Governor to the Hall of the House, presents His Excellency, Governor J. Melville Broughton, who delivers the following message:

*Mr. President, Mr. Speaker, and Members of the General Assembly of North Carolina:*

One hundred and fifty years ago the seat of government for the State of North Carolina was established at Raleigh. Since that time the chosen representatives of the people have met in the Capital City for annual, biennial, or special sessions, and for more than one hundred years such sessions have been held in this historic Capitol Building. In all that period no session of the General Assembly of North Carolina has met under circumstances so fateful or critical as now confront the world of which we are a part. For the first time in all recorded history, truly global war exists in which there is involved the fate and destiny of "every kindred, every tribe on this terrestrial ball."

Every county, town, and city, indeed every home, in North Carolina is feeling the impact of this unprecedented struggle. Hardship, deprivation, sacrifice and tragedy are a part of our common experience. Over one hundred and fifty thousand North Carolinians are now in the armed services of the nation. Sons of Carolina are to be found at all the far-flung battle fronts of the world today and their heroic exploits are adding new chapters of glory to state and national history. The winged messenger of death on land or sea has already saddened the homes and hearts of hundreds of our citizens, and the end is not yet.

Under these circumstances there can be no place for non-essential, experimental or petty legislation. The one thought uppermost in the minds and hearts of the people whom you and I represent is to win this war. It is our duty in so far as we can to see to it that North Carolina shall do its full part, and more, towards the consummation of victory and peace; and any legislation that may be essential for these purposes should receive preferred consideration. Furthermore, it may well be observed that critical and emergency conditions throughout the state, the anxiety of mind on the part of all our people and other circumstances incident to war are such as to make it desirable that this session of the General Assembly shall not be unduly prolonged.

## WAR LEGISLATION

The Selective Service system is a federal function that is wisely being administered through state and local cooperation. Too much cannot be said in praise of these local boards, appeal boards and ad-



visory committees who, without compensation and under difficult circumstances, are faithfully discharging a high responsibility. If any legislation either state or local, is needed to facilitate the work of these boards, I urge that such be given favorable action.

Under the leadership of the State Council for Defense there has been set up in the state a civilian defense program, with local units in every city and county of the state. Operating within a budget substantially lower than that of most of the states for such work, this organization has performed a notable public service and has won the high approval of regional and national authorities. While this program has been conducted on almost a wholly volunteer basis, there is required a reasonable amount for the maintenance of state and divisional staffs and expenses, and I urge that adequate provision be made for the financial requirements of this important agency.

Pursuant to the act of the General Assembly of 1941, the North Carolina State Guard has been organized with forty units, comprising, a total of approximately two thousand officers and enlisted men. More adequate provision should be made for the equipment and training of the State Guard and for the establishment of additional units if such should be found reasonably necessary. The officers and men of this indispensable branch of service, all of whom are serving without compensation, are deserving of the highest praise.

Since the declaration of war the Governor and Council of State have been called upon by national and military authorities to promulgate rulings and regulations of an imperative nature resulting from emergency conditions. A number of these requests have emanated from the President of the United States and were urgent in the highest degree. The Governor and the Council of State have sought promptly to comply with all such requests in the interest of the national safety. In many instances the authority to take such action was doubtful and in several situations there was definitely no authority under the law for the requested action. With no attempt at usurpation of power and in all instances making clear their lack of authority where such existed, the Council of State and the Governor have felt it imperative to take prompt and favorable action on all such matters. While the response on the whole has been gratifying, there have been many instances in which the technical lack of authority has largely defeated the purposes of highly essential regulations. Such matters as use of highways, load regulations, handling and transportation of explosives, labor regulations as involving hours of work and conditions under which women and younger persons may be permitted to work, school regulations as related to adaptation of the school program to the requirements of war, health regulations of emergency character, emergency and unusual activities of highway forces and highway patrol, transportation and utility problems are among the functions of government which have been affected by unprecedented and emergency conditions. These conditions will undoubtedly continue and increase and cannot fully be anticipated by normal legislative acts. Many states of the Union, in fact, a majority of the important industrial and seaboard states, have found it desirable to enact a general war

powers bill conferring upon the Governor and Council of State the full authority to deal with all such emergencies and to pass effectually such regulations as may be deemed essential for state and national welfare. The highest federal and military authorities have recommended such action and the National Council of State Governments has unanimously approved such course. The Attorney General of the State has been requested after study of similar legislation in other states to prepare for submission to this General Assembly a bill conferring upon the Governor and Council of State special war powers.

#### REVENUES AND APPROPRIATIONS

While the war emergency will properly claim preferred attention at the hands of this General Assembly, it will of course be remembered that the normal functions of the State must be carried on. Fortunately, the State is in financial condition to carry on these services without abatement and with such supplements as to keep pace with growing needs. The state is in the best financial condition in all its history. The General Fund cash surplus is several times larger than ever before recorded, and will exceed 30 million dollars by the expiration of the present fiscal year ending June 30, 1943. While this surplus, which is exceeded by that of only two other states in the American Union and not approached by any others, is a comforting circumstance, it should in no sense be deemed a green light for reckless or unnecessary spending. Great care and sound conservatism should be exercised in dealing with the fiscal problems of the state. I specifically recommend for your consideration the following:

1. That taxes be not increased. There may be some existing inequities or omissions that should be corrected by remedial legislation, and the Tax Research and Revenue departments will make recommendations as to such corrective legislation.

2. That not less than 20 million dollars of the General Fund surplus now existing or accruing during the present fiscal year be appropriated and set aside as a POST-WAR RESERVE FUND, to be invested wholly in state and government bonds or securities and to be subject only to such action as may be taken with respect thereto by subsequent sessions of the General Assembly. I ask that the General Assembly give immediate consideration to this recommendation so that such portion of the existing idle surplus may be immediately invested in such interest-bearing securities. I have asked the Attorney General to prepare for your consideration a bill providing for the creation of such POST-WAR RESERVE FUND.

3. That provision be further made that the Governor and Council of State shall from time to time during the next biennium invest in state and government securities any accruing surplus which will manifestly exceed the requirements of the appropriations made for such period. Such action will authorize and direct the conversion of idle surpluses into interest-bearing securities.



4. After the setting up of the post-war reserve fund herein recommended there will in my judgment be ample funds, taking into consideration the balance of the existing surplus and anticipated revenues in the next biennium, to meet all reasonable needs of our state agencies, institutions, colleges, universities and public schools. Reasonable and adequate provision can and should be made for all of these agencies and functions, taking into consideration such limitations and economics as may properly be observed by reason of war or other conditions.

5. The very conditions which have contributed towards our unprecedentedly favorable financial condition have at the same time greatly increased the cost of living and created genuine hardship on the part of public school teachers, including teachers in colleges and universities, and the employees of the State, for whom no general increase in pay has been made in a number of years. Therefore, as a matter of economic justice and fair dealing with these faithful teachers and employees, I recommend reasonably substantial increases or supplements to compensation; and I recommend that such increases or supplements be made effective as of January 1, 1943. Since conditions are unprecedented and unpredictable, it is probably desirable that such increase should be deemed in the nature of a war bonus or supplement, to continue to the end of the year 1944, at which time the next succeeding General Assembly can deal with the matter in the light of circumstances then existing. The Advisory Budget Commission has carefully studied and will recommend an equitable schedule for such increases of pay and I urge the adoption and enactment of these recommendations.

6. The General Assembly of 1939 designated the Revenue Act then enacted as a permanent revenue act. The next succeeding session wisely accepted this revenue status and imposed no additional taxes but made certain equitable reductions that were then found to be feasible and desirable. The policy of having a continuing revenue act has been stabilizing in its effect. I strongly recommend the continuance of such policy.

#### HIGHWAY COMMISSION

War conditions have had an adverse effect upon our highway funds. Gasoline and tire rationing, sharp limitations in the use of passenger cars and trucks and other circumstances have brought about the most drastic cut in highway revenues experienced since the creation of the highway commission. The curve is still downward and highway revenues for the coming biennium will probably be substantially less than fifty percent of normal. Fortunately, the highway commission at the end of the last fiscal year had to its credit a cash surplus in excess of 13 million dollars. Such surplus and accruing revenues have been wisely administered by the highway commission. We are therefore in a safe position for the next biennium with respect to meeting principal and interest on bonds, operation and overhead requirements and reasonable maintenance of existing highways and public roads. New

construction is virtually impossible except where directed and authorized by military and naval authorities.

It is quite impossible to make any dependable prediction as to highway revenues for the ensuing biennium. This much, however, is certain: By the end of the present emergency period our highways will be badly in need of repairs and improvements and much new construction of bridges, causeways and additional highways, as well as widening and straightening many existing highways, will be quite essential. Furthermore, at such time a program of public works of this character will be needed to give employment to thousands of our people who will otherwise be unemployed. Unless some provision is made in advance, we may at the end of the war, with all of these needs existing, with building materials of all kinds fully available and labor crying for employment, find ourselves without funds for such new work and therefore under the necessity of waiting for many months or even for a year or more until normal highway revenue collections are attained.

In addition to its cash surplus, the highway commission has wisely built up a reserve fund which has largely been and can easily be invested in outstanding highway bonds of the state. This is not a sinking fund, because the outstanding highway bonds totalling at the present time 62 million 614 thousand dollars are serial bonds, as to which no sinking fund is required and which are payable as to principal and interest out of current revenues.

In view of these contingencies, I recommend that the Legislature confer upon the Governor and Council of State full authority at the expiration of the present war to cancel highway bonds owned by the State and held in such reserve fund, thus reducing to that extent the outstanding highway indebtedness, and to issue within the constitutional limits new highway construction bonds to the extent of two-thirds of the bonds canceled and redeemed during the biennium. Such new bonds, of course, could be issued at probably less than one-half the present interest rate of outstanding bonds. Such plan put into effect at the end of the war would immediately give to the highway commission a fund of approximately 15 million dollars, plus available federal funds, for new and badly needed highway construction and improvements and soundly afford employment to thousands of our people.

#### PUBLIC SCHOOLS

Public education is essential for the preservation of a democracy. In keeping with this philosophy we have built up in North Carolina a system of public schools of which we are justly proud. In spite of emergencies, wars and hardships, this program must go on. We shall not make any educational retreat in North Carolina. I therefore urge that adequate appropriations be made for our public schools and for our institutions of higher learning. Specific recommendations for these and other appropriations are incorporated in the biannual budget report which will be transmitted to the General Assembly by me within the next few days. Previously in this message I have referred to the



urgent need for increase in the pay of our teachers, and this will likewise be embodied in the recommendations of the Budget Commission.

We have a state public school system, the only truly state system in America. The philosophy and logic of such a system demand that every boy and girl in North Carolina be given equal educational opportunities. Under this system the boy or girl in the most rural or remote section of the state has the same right to educational opportunities as the boy or girl in our largest or richest municipalities or counties. The capacity to pay is not the test. The supplemental local tax is not the answer. We operate on a state basis, and there can be no real justification for difference in school term or quality of teaching in various sections of the state. We have yet a long way to go educationally in North Carolina and we must climb towards these higher goals together.

In my inaugural address on January 9, 1941, I made the following statement:

"There should be set up as a goal at least for early attainment a nine-months term for all our schools and a twelfth grade for all high schools."

The Legislature of 1941 set up the machinery and appropriations for the twelfth grade and this is now an established part of our educational procedure, and wisely so. The time has now come in my opinion when we should take the next step and provide a nine-months term for every child in every county of the state in our public school system. We are financially able to take this progressive step, both political parties are definitely committed to it, and I strongly urge that this session of the General Assembly make adequate provision for the nine-months term. It is well recognized that many agricultural and some industrial communities may find it expedient or desirable at least for the duration of the present emergency not to accept the benefits of a nine-months term. Therefore, such enactment should be on an optional basis so that those communities desiring a nine-months term may have it; and with the further provision that any community may by reduction in holidays and by teaching on Saturdays adjust the nine-months term to meet local conditions. Full authority likewise should be given to the State Board of Education during the period of the war emergency to order general and, if necessary, extended recesses or adjournments of public schools in any section of the state where the planting and harvesting of crops or other emergency conditions make such action reasonably necessary.

I recommend that the enforcement of compulsory school attendance be placed under school authorities and that the age limit for compulsory attendance be increased from fourteen to sixteen years.

A broad program of vocational, health and physical education in our public schools is imperative and I recommend adequate appropriations for such purposes.

The people of the state by very large majority in the last election adopted a constitutional amendment setting up an inclusive and authoritative state board of education. In the course of the debate on this

subject I publicly stated that in the event of the adoption of the amendment I would recommend to this General Assembly that certain modifying amendments which were stated in definite terms be submitted to the people for ratification at the next general election. I urge the enactment and submission of such proposal.

I further recommend that the Legislature pass such enabling legislation as may be necessary in pursuance of the school amendment that was adopted at the last election.

#### STATE INSTITUTIONS

During the year just elapsed disturbing disclosures were made concerning inadequate facilities and supervision and questionable practices in respect to the treatment of patients at the State Hospital for the Insane at Morganton. In the light of a shocking portrayal of conditions that had existed over a period of years I appointed a board of inquiry, composed of five outstanding citizens of the state. This board conducted full hearings and a thorough investigation and submitted a report that ranks among the most significant and important reports ever made concerning any state agency. The report revealed many inadequacies and a large number of improper practices. Acting under the full sanction of the Council of State and of the board of trustees of the institution, I immediately proceeded to carry out all recommended improvements that could be effected without legislation. In addition to the conditions at Morganton, the report revealed a general condition applicable to other institutions and the attention of other boards was promptly called to the same. The board on inquiry made specific recommendations for certain legislation, which recommendations I fully endorse and the enactment of which I recommend.

These recommendations include, among other things, the setting up of a unified board of directors, or board of control, to supervise and administer the operations of all four of the existing state institutions for the treatment of insane or mentally defective persons, these being the State Hospital at Morganton, the State Hospital at Raleigh, the State Hospital for colored insane at Goldsboro, and Caswell Training School at Kinston for mentally deficient children. Such unified board method has been followed by the State with great success in respect to our hospitals for treatment of tuberculosis, of which there are three located in widely separated sections of the state, and has likewise been followed in many states with complete satisfaction in respect to treatment of insane or mentally handicapped people.

I also recommend substantial increases in the appropriations for all of these institutions so as to bring them at least in line with the national average in maintenance provision and so as to provide an adequate number of competent physicians, nurses and attendants.

#### OTHER AGENCIES AND DEPARTMENTS

Agriculture and industry in North Carolina have made enormous strides in recent years and the administration of these two departments of state government affects the welfare and economic standards



of a very large majority of our people. In my opinion the position of Commissioner of Agriculture and the position of Commissioner of Labor of the State should be placed on a plane of equal dignity, authority and compensation with that of other elected officials of State Departments. I also recommend that a constitutional amendment be submitted making the Commissioner of Agriculture and the Commissioner of Labor members of the Council of State.

In connection with the operations of the Revenue Department it was reported to me something over a year ago that certain shortages existed, most of which had been running over a period of years. I immediately recommended that every person guilty of misappropriation or misapplication of funds or participation in such action should be prosecuted. As a result, ten persons were indicted in the superior courts of the State. All ten were convicted and sentenced to prison. While these experiences have been disturbing, the soundness of the policy cannot be questioned, and such policy will be followed in every case. In addition to such prosecutions, all officials whose negligence made possible the continuance of such practice over a considerable period of time, though not themselves guilty of any participation, were dismissed from service. The efficiency of the Revenue Department has been immeasurably improved by reason of these acts and the installation of improved methods and additional auditing facilities and personnel. I recommend that adequate provision be made to give to the Revenue Department immediately the total of competent auditing and accounting personnel necessary for prompt and efficient handling of all tax accounts and tax collections.

We may well anticipate that the burden of welfare work will fall more heavily upon the state and local units of government in the coming years. The enormous increase in the national debt and other factors will inevitably involve a sharp reduction in federal expenditures for such purpose. I recommend that adequate provision be made for essential welfare work in this state, but I urge that this program be carefully scrutinized to the end that no sort of public aid be rendered to any individual who is able to work in this period of unprecedented employment and who seeks to live on a dole rather than by the sweat of his brow. The greatness of our state and nation rests upon an independent, liberty-loving, self-reliant citizenship and not upon a system of unmerited and unnecessary doles or "hand-outs." North Carolina cannot become a Santa Claus for those who may have to abandon the federal Christmas tree.

Many departments of state government have found need for certain amendments in the laws respecting such departments, arising out of new and changed conditions, and such proposals in due course will be submitted for your consideration.

I call particular attention to the work of the mining and minerals division of the Board of Conservation and Development and to the divisions of commerce and industry and advertising of that department of state government. Activity in mining operations is increasing enormously and much of it has vast significance as relating to the wealth and industrial progress of this state. Adequate appropriations

to further the work of this department is most important. Equally significant is the expansion of the commerce and industry division, supplemented by the advertising program. During the past year some notable new industries were opened in this state through the activity of this department, and some even larger are immediately in prospect. The type of industries that have been obtained and others that are being sought are such as will in all likelihood continue after the war is over. These activities mean new business, additional revenue and employment for thousands of our citizens. This is all-important and should be adequately financed.

The Historical Commission, in addition to its normal duties, is wisely undertaking to collect full records of the present war in so far as North Carolina is related or concerned. This can best be done while events are occurring and adequate provision should be made for such work.

The agricultural extension service and the State College experiment station along with other agricultural agencies are more highly important now than ever before in view of the imperative demand for production of food and feed. There should be no curtailment of the activities of these agencies.

#### GENERAL RECOMMENDATIONS

I recommend that the appropriation for the State aid to public libraries, first made by the last session of the General Assembly, be continued in at least the same amount. Results have more than justified the wisdom of such action.

A commission appointed under authority of the last General Assembly has filed its report, recommending the establishment of a training school for delinquent Negro girls. Already the State has such institutions for white girls and for white and Negro boys. We cannot longer justify the failure to provide such facilities for delinquent Negro girls, and I recommend that this General Assembly make such provision.

The recommendations of other commissions that were appointed by virtue of legislative action will be transmitted for your consideration. In certain instances the intervention of war has made futile, if not impossible, the inquiry proposed, and it will be recommended that the time for such commission's study be extended and report made at a subsequent session.

The State Board of Elections has made two important recommendations which will be transmitted to your honorable body. One relates to the absentee ballot act and the other to the enactment of penal statute dealing with persons having official ballots in their possession prior to election. I fully endorse these recommendations. I also recommend that adequate provisions be made under the supervision of the State Board of Elections for the distribution of absentee ballots to all men in military and naval service in such time as will enable them to receive and return these ballots for election purposes.

Under the supervision of the Attorney General and by authority of a previous act of the General Assembly, there has been prepared



a compilation and codification of the laws of this state in a new code, to be known, if adopted, as "The North Carolina Code of 1943." This work has been admirably done and I recommend the adoption of this code by legislative enactment.

The last General Assembly, recognizing the evils of unregulated and unrestricted sale of so-called "light wines" and "fortified wines" in the state, undertook by legislation to deal with this situation. While such legislation was designed to combat existing evils, there were certain amendments adopted during the consideration of the bill that created ambiguities and confusion; and these together with other circumstances have tended to make the law largely ineffectual so far as the greater portion of the state is concerned. I recommend a complete review of this situation by the General Assembly and the enactment of such legislation as will provide for the abatement of such evils and insure an adequate regulation and supervision of the sale of wine wherever the same may be sold or handled in the state.

The sentiment of this state is overwhelmingly in favor of decency, sobriety and law enforcement. Ours is a God-fearing, home-loving people. This sentiment is even more emphasized by the fact that in our midst nearly three hundred thousand soldiers and marines are in training. Every reasonable effort by legislation and otherwise should be made to keep our state and its communities free from degrading influences and practices.

A state planning board has heretofore been authorized by legislative act, but no funds have ever been appropriated or thus far definitely needed for this board, which has necessarily been inactive during this emergency period. However, with a view to post-war planning, it is apparent that such board could play a vital part in the progress of the state, and it is recommended that authorization be given to the Council of State to allocate from the Contingency and Emergency Fund such funds as may reasonably be necessary to implement and effectuate the work of this board, such allocation to be at such time and in such amount as the Council of State may find actually necessary for the reasonable prosecution of the work of such board within the provisions of the statute creating the board.

I concur fully in the recommendations of the State Treasurer as Chairman ex-officio of the Local Government Commission, to the effect that legislation be enacted authorizing local units of government to provide for and set up reserve funds for post-war purposes.

I recommend that all regulatory boards engaged in licensing and regulating trades or business under authority of the State and collecting money in the name of the State shall be required to deposit such money as collected with or to the credit of the Treasurer of the State of North Carolina, and that the expenditure of such fund shall be in conformity with the provisions of the State Budget Act.

A report of the Advisory Budget Commission together with revenue and appropriations bills and machinery act recommended by the Commission will be transmitted for your consideration within the next few days.

## CONCLUSION

In conclusion, permit me to say as a one-time member of the General Assembly, that I have the greatest respect for the legislative branch of our state government and desire in every proper way to render such assistance as I can during the period of your deliberations. My own services and the facilities of my office are available to you at all times. What I said to the former session I repeat after two years of experience in the office which I hold, namely: Yours is the responsibility not only of providing adequately for our agencies and institutions, but likewise for safeguarding the credit of the state. I have complete confidence in your judgment and your patriotism. The people of North Carolina may well be assured that this General Assembly will conscientiously perform its task in a manner worthy of the best traditions of our beloved state.

It is our privilege to be living in the most challenging period of our national existence. We may well take pride in the fact that North Carolina in this emergency, as in all previous national crises, is living up to its highest traditions. As we gather here to deliberate about matters of fiscal and domestic concern we cannot be unmindful of the fact that tens of thousands of our young men are on the blazing fields of action. Many of them will not return. To those who do return and in loving memory of those who do not may we be able truthfully to say, "We, too, have kept the faith!"

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THIRD DAY

SENATE CHAMBER,  
Friday, January 8, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Upon motion of Senator Ballentine the reading of the Journal of yesterday is dispensed with, and the same stands approved.

Upon motion of Senator Price, the courtesies of the galleries are extended to Sheriff Sherum of Rockingham County.

The President extends the courtesies of the floor to former Representative Arch Allen of Granville County.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Brooks: S. B. 4, a bill to relieve partnerships, firms and corporations from paying income tax on contributions to Red Cross, Boy Scouts, religious and other charitable associations by amending sub-Section (9) of Section 322, and striking out sub-Section (d) and sub-Section (i) of Section 323 of the Revenue Act of 1939 as amended, and being Chapter 158 of the Public Laws of 1939.

Referred to Committee on Finance.



By Senators Barber, Ballentine and Taylor: S. R. 5, a resolution expressing sympathy to Honorable Wilkins P. Horton, former Lieutenant Governor, on account of the illness of his wife, Cassandra Menenhall Horton.

Upon motion of Senator Ballentine, the rules are suspended and the resolution is immediately considered.

The resolution is unanimously adopted.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 7, a bill to appoint Newton N. Hampton special Deputy Sheriff and Tax Collector for Crawford Township in Currituck County, and to fix his salary and term of office.

Referred to Committee on Counties, Cities and Towns.

#### REPORT OF RULES COMMITTEE

Senator Price, for the Committee on Rules, submits the following report and recommendations:

The Committee on Rules respectfully submits and recommends the following amendments to the rules of the Senate of the Session of 1941: Amend Rule No. 45, page 18, of the printed rules, by striking out in lines 15 and 16 thereof the words "Congressional Districts" and the words "Senatorial Districts" and adding in lieu thereof the words "Salaries and Fees, Mental Institutions, Recodification." Amend further by striking out on page 8, line 19, the words "On Insane Asylums" and substituting in lieu thereof the words "On Mental Institutions," and by striking out on page 33, line 1, the words "Committee on Insane Asylums" and substituting in lieu thereof the words "Committee on Mental Institutions."

That the rules of the Senate of the Session of 1941 with these amendments be adopted as the rules of this Session of the Senate of 1943.

Upon motion of Senator Price, the recommendations submitted in the report of the Committee on Rules is adopted.

The President announces receipt of communications from various persons relative to proposed legislation which are read and referred to appropriate Committees.

Upon motion of Senator Price, the Senate adjourns to meet tomorrow morning at 10:00 o'clock, at which time only Public Local bills will be considered, and adjournment will be until Monday evening at 8:00 o'clock.

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#### FOURTH DAY

SENATE CHAMBER,  
Saturday, January 9, 1943

The Senate meets pursuant to adjournment, and in the absence of Lieutenant Governor R. L. Harris and President *pro tempore*, J. Hampton Price, the Senate is called to order by S. Ray Byerly, Principal

Clerk, who calls Senator Ballentine to the Chair, who presides during the session.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Upon motion of Senator Watson, the reading of the Journal of yesterday is dispensed with, and the same stands approved.

#### REPORT OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Taylor, for the Committee on Appropriations:

S. B. 2, a bill to create a state post-war revenue fund, and making an appropriation of \$20,000,000 from the general fund of the State, with a favorable report, as amended.

Upon motion of Senator Watson, the Senate adjourns to meet Monday night at 8:00 o'clock.

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#### FIFTH DAY

SENATE CHAMBER,

Monday, January 11, 1943

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Barker, the courtesies of the floor are extended to former Senator J. C. Pittman of Lee County.

Upon motion of Senator McKee, the courtesies of the floor are extended to former Senator Ed Land of Iredell County.

Upon motion of Senator Larkins, the courtesies of the floor are extended to former Senator Luther Hamilton of Carteret County who is now Judge of the Superior Court.

Upon motion of Senator Sanders of Alamance, the courtesies of the galleries are extended to Lieutenant R. A. Merritt of the State College Naval Procurement Office.

Senator R. G. Cherry of the Twenty-sixth District, failing to reach the Senate Chamber in time to be sworn in previously, appears with the proper certificates of election and takes and subscribes to the following prescribed oath of office which is administered by the President of the Senate:

"Do you solemnly and sincerely swear that you will support the Constitution of the United States. So help you God?"

"Do you solemnly and sincerely swear that you will be faithful and bear true allegiance to the State of North Carolina, and to the Con-



stitutional powers which are or may be established for the government thereof; and will you endeavor to support, maintain and defend the Constitution of said State not inconsistent with the Constitution of the United States to the best of your knowledge and ability? Do you solemnly and sincerely swear that you will faithfully discharge your duties as Senator of the State of North Carolina. So help you God?"

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bill and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Leary: S. B. 6, a bill to reduce the punishment for capital felonies from death to life imprisonment when recommended by the jury.

Referred to Committee on Judiciary No. 1.

By Senator Chaffin: S. B. 7, a bill to amend Sections 4657 and 4658 of the Consolidated Statutes substituting death by electrocution in place of death by lethal gas in North Carolina.

Referred to Committee on Judiciary No. 1.

By Senator Taylor: S. B. 8, a bill to authorize the Governor and State Treasurer, with the approval of the Council of State, to invest funds in the State Treasury in excess of the amount required to meet the current needs of the State in interest-bearing securities of the State and Federal Governments.

Referred to Committee on Appropriations.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 2, a bill to create a State Post War Reserve Fund, and making an appropriation of \$20,000,000.00 from from the General Fund of the State.

The amendment offered by the Committee is adopted.

The amendment offered by Senator Taylor is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives.

#### APPOINTMENT

The President announces the appointment of the following standing Committee:

Committee on the Composite Photograph of the Senate: Senators McKee, Ballentine, Price.

Upon motion of Senator Larkins, the Senate adjourns to meet tomorrow at 12 o'clock M.

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#### SIXTH DAY

SENATE CHAMBER,

Tuesday, January 12, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

#### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. R. 1, a joint resolution informing His Excellency, the Governor, that the General Assembly is ready to proceed with public business.

#### REPORT OF RULES COMMITTEE

Senator Price, for the Committee on Rules, submits the following report and recommendations:

The Committee on Rules respectfully submits and recommends the following amendment to the rules of the Senate of the Session of 1943: Amend rule No. 15, page 9, by adding after the words "On Unemployment Compensation," line 13, a new line to read as follows: "On Interstate Cooperation."

Upon motion of Senator Price, the recommendation submitted in the report of the Committee on Rules is adopted.

#### APPOINTMENTS

The President announces the appointment of the following standing Committee:

Committee on Interstate Cooperation: Senators Carlyle, Chairman; Price, Johnson of Duplin, Clark, Larkins.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. R. 17, a joint resolution expressing sympathy upon the death of, and appreciation of the life and service of Mrs. Bessie Gardner Hoey.

Upon motion of Senator Price, the rules are suspended and the resolution is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

#### MESSAGE FROM THE GOVERNOR

The following message is received from His Excellency, Governor J. Melville Broughton:

Tuesday, January 12, 1943.

*Mr. President, Mr. Speaker and  
Members of the General Assembly:*

I have the honor herewith to submit for your consideration the budget of the State of North Carolina, as required by the Executive



Budget Act, for the biennium beginning July 1, 1943. Also, I transmit herewith the Budget Revenue Bill and the Budget Appropriation Bill, for the ensuing biennium, printed and submitted as required by law.

It will be observed that the Budget Revenue Bill of 1943 as recommended by the Advisory Budget Commission and herewith submitted is in no sense a general revenue bill, but deals almost wholly with procedural and corrective provisions. The General Assembly of 1939 enacted what was then designated as the permanent revenue act and the next succeeding General Assembly accepted this status as to the revenue act and continued the same, in effect, subject to certain modifications and amendments as embodied in the Revenue Act of 1941. I join with the Advisory Budget Commission in recommending the continuance of this sound policy which has resulted in a stability in our tax situation that has been gratifying to the taxpayers of the state and to business in general. Certain corrective amendments and procedural improvements are deemed necessary, however, and these are incorporated in the Budget Revenue Bill herewith submitted. Also, for the reasons set out fully in the Budget Report, the bill provides that tax on intangibles shall not hereafter be levied by the State, but with certain modifications and within prescribed limits may be levied by the counties at their option.

There is not being submitted any general machinery act for the reason that the machinery act of 1939 was enacted as a permanent or continuing machinery act, and the Advisory Budget Commission is of the opinion that there is no necessity at the present time for any general changes in the machinery as relating to the collection of revenues in the state. However, it is the opinion of the Commission that certain amendments are essential and these amendments are incorporated in a bill herewith transmitted entitled, "Amendments to the Machinery Act." The principal provision of the amendments herewith transmitted and recommended for enactment strikes out the exemption from property tax heretofore allowed as to real property indirectly owned by the Federal, State or local governments. This amendment is in conformity with decisions of the Supreme Court of the United States and of the State of North Carolina.

There is also herewith transmitted a supplemental appropriation bill for the fiscal year 1942-1943, as recommended by the Advisory Budget Commission. The purpose of this supplemental appropriation bill is to make effective as of January 1, 1943, and for the period ending June 30, 1943, certain recommended supplements to compensation of teachers in the public schools and other state institutions and for all state employees. The general appropriation bill deals with such supplements for the period beginning July 1, 1943 and ending December 30, 1944. It is felt by the Advisory Budget Commission that these teachers and employees are fairly and justly entitled to reasonably substantial supplements in their compensation on account of unusual economic circumstances beyond their control, which have subjected them to undue hardships arising from the increase in the cost of living. These teachers and employees have had no general increase in compensation for a number of years and it is quite difficult,

if not impossible, for them to make ends meet on the basis of present compensation and in the face of unquestionably heavy increase in the cost of living. Since these conditions have been going on some time, it is felt by the Commission, and in which view I fully concur, that the proposed supplements to the compensation of these teachers and employees should not be delayed until the next biennium, but should be made effective as of January 1, 1943. Since such proposed supplements, if enacted, would affect the payrolls and remittances for the present month, it is suggested that this proposed supplemental appropriation bill be given immediate consideration.

In connection with the proposed supplemental appropriation bill, as pointed out in the Budget Report, the proposed supplement of compensation is at a higher percentage for those in the lower salary brackets than for those in the upper brackets. For example, those making only \$900.00 per year or under would receive under this bill an increase of twenty percent. Teachers and employees earning \$1200.00 per year would under this bill receive an increase of fifteen percent. These references are by way of example, as the full statement of increased percentages is set forth in the Budget Report. The same percentages prevails in the proposals made for the next biennium, as will appear from the Budget Appropriation Bill and from the Budget Report.

I call particular attention to the appropriations proposed for our state hospitals for the treatment of the insane. The appropriations herewith recommended are substantially higher than ever before recommended or enacted in the history of the State. The investigation made during the past year by the highly capable board of inquiry appointed by the Governor revealed serious inadequacies with respect to the number and quality of attendants, the number of nurses and doctors, and as to subsistence provisions for the patients in these institutions. The proposed appropriations, coupled with what has already been done in recent months, would put these institutions on a plane with the best in the United States. These institutions are close to the hearts of the people of North Carolina and I earnestly trust that the recommendations of the Commission will be favorably received by the General Assembly.

In my general message to the General Assembly I touched on many of the fiscal problems of the State and therefore do not deem it necessary to comment in any greater detail upon the budgetary requests.

The Budget Report herewith submitted is the result of painstaking, efficient and intelligent efforts of the assistant director of the budget and his aides, and the Advisory Budget Commission, all of whom have labored dilligently and earnestly, with no thought except the public interest. The report represents the unanimous action of the entire membership of the Advisory Budget Commission. As such, it will deserve and receive at your hands the most considerate attention.

The uncertainty of the time and the unpredictable circumstances of the next two-year period present many difficulties in the matter of estimating revenue. The Commission has sought the aid of experts and of the heads of the responsible departments in arriving at esti-



mates of revenue set forth in the Budget Report. They have sought to be neither unduly conservative nor unwisely liberal in these estimates. The General Assembly will of course exercise the right to review and inquire into these estimates and determine for itself whether they are too high or too low.

On the basis of the estimates of income made by the Commission, the proposed budget herewith submitted to the General Assembly represents a balanced budget. In fact, on the basis of these estimates and taking into consideration the appropriations recommended, including supplements to salaries of teachers and employees and after setting aside the recommended POST-WAR FUND of 20 million dollars, there is reflected in this report a surplus at the end of the next biennium, June 30, 1945, in the amount of \$2,309,493. Of course, if the revenue yields during the remainder of the current fiscal year and for the biennium should be higher or lower than the Commission has estimated, this indicated balance would be affected by such condition.

This report of the Advisory Budget Commission and the accompanying revenue and appropriation bills are in keeping with the requirements and the spirit of the Budget Act of North Carolina. Upon these principles is founded the credit of the State of North Carolina, which is unsurpassed by that of any other state in the American Union. Under no circumstances should we depart from the sound policy of a balanced budget.

The message is referred to the Committee on Finance and Appropriations.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator O'Berry: S. B. 9, a bill to amend and supplement the Revenue Act of 1939, Chapter 158 of 1939.

Referred to Committee on Finance.

By Senator O'Berry: S. B. 10, a bill to amend the Machinery Act of 1939, Chapter 310 of the Public Laws of 1939.

Referred to Committee on Finance.

By Senator Taylor: S. B. 11, a bill to make appropriations for the maintenance of the State's departments, bureaus, institutions, and agencies, and for other purposes.

Referred to Committee on Appropriations.

By Senator Taylor: S. B. 12, a bill to make supplemental appropriations for the State's departments, bureaus, institutions, and agencies, and for the specific purpose of providing a War Bonus for public school teachers and other State employees.

Referred to Committee on Appropriations.

By Senator Leary: S. B. 13, a bill prohibiting the making of motions during the business hours of the Senate to extend the courtesies of the floor, the galleries or the lobby to any visitor.

Referred to Committee on Rules.

By Senator Pittman: S. B. 14, a bill revising and consolidating the Public and General Statutes of the State of North Carolina.

Referred to Committee on Recodification.

By Senator Daniel: S. B. 15, a bill to establish procedure for issuance of a certificate of title to the heirs or devisees of land registered under Chapter 47 of the consolidated Statutes of North Carolina, upon the death of the registered owner of same.

Referred to Committee on Judiciary No. 1.

By Senator Johnson of Halifax: S. B. 16, a bill to provide for a more uniform representation of the people of Halifax County on the Board of County Commissioners.

Referred to Committee on Counties, Cities and Towns.

By Senator Johnson of Duplin: S. B. 17, a bill to validate transcripts of judgments certified in the name of Deputy Clerks of the Superior Courts.

Referred to Committee on Judiciary No. 1.

Upon motion of Senator Johnson of Duplin, the Senate adjourns to meet tomorrow at 12 o'clock M.

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### SEVENTH DAY

SENATE CHAMBER,

Wednesday, January 13, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator O'Berry, the courtesies of the floor are extended to former Representative Wiley Andrews of Wayne County.

Upon motion of Senator Cherry, the courtesies of the floor are extended to former Senator Grady Rankin of Mecklenburg County.

Upon motion of Senator Mitchell, the courtesies of the floor are extended to former Senator Buren Journey of Iredell County.

### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State.

H. B. 2, an Act to fill a vacancy in the membership of the Board of Welfare of Burke County.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Taylor, for the Committee on Appropriations:



S. B. 8, a bill to authorize the Governor and State Treasurer, with the approval of the Council of State, to invest funds in the State Treasury in excess of the amount required to meet the current needs of the State in interest-bearing securities of the State and Federal Governments, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Price: S. B. 18, a bill to amend the Constitution to place the control and supervision of justices of the peace in the General Assembly.

Referred to Committee on Constitutional Amendments.

By Senator Leary: S. B. 19, a bill to provide a uniform system for the selection and compensation of justices of the peace.

Referred to Committee on Justices of the Peace.

By Senator Graham: S. B. 20, a bill to require the State Highway and Public Works Commission to drag private roads leading from State highways and clean ditches along the same for a distance not exceeding one and one-half miles.

Referred to Committee on Public Roads.

By Senator Wilson: S. R. 21, a joint resolution to authorize and provide for the printing of the Governor's address and budget message to the General Assembly.

Upon motion of Senator Wilson, the rules are suspended and the resolution is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Wallace: S. B. 22, a bill to amend Section 5 of the Charter of the town of Candor, as amended by Chapter 67 of the Private Laws of 1924, Extra Session, to validate all proceedings heretofore taken in relation to the issuance of \$10,000.00 water bonds of said town, and prescribing the vote required upon an ordinance to authorize bonds of said town for necessary expenses.

Referred to Committee on Finance.

By Senator Brooks: S. B. 23, a bill to amend the Revenue Act of 1939, providing that income taxes be payable in eight equal monthly installments without interest.

Referred to Committee on Finance.

Upon motion of Senator Larkins, the Senate adjourns to meet tomorrow at 12 o'clock M.

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#### EIGHTH DAY

SENATE CHAMBER,

Thursday, January 14, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The President acknowledges receipt of a communication from the Legislative Boards of the Brotherhood of Locomotive Engineers, Order of Railway Conductors, Brotherhood of Railroad Trainmen and Brotherhood of Locomotive Firemen and Enginemen, which is referred to Committee on Constitutional Amendments.

Upon motion of Senator Watkins, the courtesies of the floor are extended to former Senator Flem Long of Person County.

Upon motion of Senator Johnson of Halifax, the courtesies of the floor are extended to former Senator Archie C. Gay of Northampton County.

#### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. R. 17, a joint resolution expressing sympathy upon the death of and appreciation of the life and service of Mrs. Bessie Gardner Hoey.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Gregory: S. B. 24, a bill to increase the appropriation for Public Libraries in North Carolina, amending Chapter 93 of the Public Laws of 1941.

Referred to Committee on Library.

By Senator O'Berry: S. B. 25, a bill to amend Subsection 2 of Section 2937 of the Consolidated Statutes, as amended, the same being a part of the Municipal Finance Act, 1921, and relating to the funding and refunding of indebtedness.

Referred to Committee on Finance.

By Senator O'Berry: S. B. 26, a bill authorizing cities and towns to establish capital reserve funds.

Referred to Committee on Finance.

By Senator Johnson of Halifax: S. B. 27, a bill to amend Chapter 25 of the Public Laws of 1941, creating a teachers and State employees retirement system in North Carolina.

Referred to Committee on Education.

By Senator Weathers: S. B. 28, a bill to amend Section 29 of Chapter 407 of the Public Laws of 1937 so as to extend the time for renewing vehicle registrations one month, and to amend Section 75 of said Chapter so as to make said Section conform to the said amendment.

Referred to Committee on Public Roads.



## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 8, a bill to authorize the Governor and State Treasurer, with the approval of the Council of State, to invest funds in the State Treasury in excess of the amount required to meet the current needs of the State in interest-bearing securities of the State and Federal Governments.

Passes its second and third readings and is ordered sent to the House of Representatives.

Upon motion of Senator Larkins, the Senate adjourns to meet tomorrow at 12 o'clock M.

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NINTH DAY

SENATE CHAMBER,

Friday, January 15, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Brooks, Billy Branch is made an honorary page of the Senate.

Upon motion of Senator Brock, the courtesies of the floor are extended to former Senator Walter P. Byrd of Harnett County.

Upon motion of Senator Chaffin, the courtesies of the floor are extended to Captain Fred Eagles and Mrs. J. C. Eagles, son and wife of Senator Eagles of Wilson.

Upon motion of Senator Mitchell, the courtesies of the floor are extended to Major T. H. Upton of the State Selective Service.

Upon motion of Senator Pittman, the courtesies of the floor are extended to Mrs. Wallace, wife of Senator Wallace of Montgomery County.

Upon motion of Senator Horton, the courtesies of the floor are extended to former Senator Ryan McBryde of Hoke County.

Upon motion of Senator Horton, the courtesies of the floor are extended to former Senator Ralph H. Ramsey of Transylvania County and to former Senator Lee Wilson of Davidson County.

Upon motion of Senator Larkins, the courtesies of the floor are extended to Guy Elliott of Lenoir County.

## MESSAGE FROM THE GOVERNOR

The following message is received from His Excellency, Governor J. Melville Broughton:

Friday, January 15, 1943.

*Mr. President, Mr. Speaker and Members of the General Assembly:*

In pursuance of the provisions of a joint resolution adopted by the General Assembly of 1941 I appointed a commission of nine members as therein provided to make a study of the judicial districts of the State and to make to the General Assembly of 1943 such recommendations as in the opinion of the Commission would facilitate and improve the work of the courts in the State of North Carolina.

I appointed a commission composed of the following:

Wilkins P. Horton, Chairman, Pittsboro

E. T. Sanders, Burlington

John D. Larkins, Jr., Trenton

J. A. Pritchett, Windsor

H. I. McDougale, Charlotte

Hubert C. Jarvis, Asheville

W. B. Rodman, Jr., Washington

Willis Smith, Raleigh

Fred Hutchins, Winston-Salem

The Commission made a full study of the situation as affecting judicial districts and has filed with me its report, which I transmit herewith for the consideration of the General Assembly.

Following the enactment of the constitutional amendment in the election of 1942 relating to solicitorial districts I requested this commission to make a study of the situation in the State as affecting solicitorial districts in pursuance of the provisions of the recently adopted amendment. The Commission has made such study and has filed with me its report on the matter of solicitorial districts. I likewise transmit this report for the consideration of the General Assembly.

The message and the reports are referred to the Committee on Courts and Judicial Districts.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Pittman, for the Committee on Recodification:

S. B. 14, a bill revising and consolidating the Public and General Statutes of the State of North Carolina, with a favorable report, as amended.

By Senator O'Berry, for the Committee on Finance:

S. B. 25, a bill to amend Subsection 2 of Section 2937 of the Consolidated Statutes, as amended, the same being a part of the Municipal Finance Act, 1921, and relating to the funding and refunding of indebtedness, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:



By Senator Brooks: S. B. 29, a bill to amend the Constitution providing for the organization of the State Board of Education.

Referred to Committee on Constitutional Amendments.

By Senator Ballentine: S. B. 30, a bill to authorize the conveyance by the State of North Carolina of a lot fifty feet square of the Battlefield near Appomattox Court House to the United States of America for addition to the Appomattox Court House National Historical Monument.

Referred to Committee on Federal Relations.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 36, a bill to exempt members of the armed forces of the United States and members of the Merchant Marine from poll taxes.

Referred to Committee on Finance.

H. R. 48, a joint resolution to petition the Office of Price Administration to fairly adjust regulations concerning oily carcass hogs.

Upon motion of Senator Ballentine, the rules are suspended and the resolution is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

#### APPOINTMENTS

The President announces the following Committee appointments: Committee on Conservation and Development—Senators Wade, Horton.

Committee on Education—Senator Wade.

Committee on Propositions and Grievances—Senator Wade.

Committee on Public Health—Senator Brooks.

Upon motion of Senator Larkins, the Senate adjourns to meet tomorrow morning at 10 o'clock, at which time only Public Local bills will be considered, and adjournment will be until Monday evening at 8 o'clock.

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#### TENTH DAY

SENATE CHAMBER,  
Saturday, January 16, 1943.

The Senate meets pursuant to adjournment, and in the absence of the Lieutenant Governor R. L. Harris and President *pro tempore* J. Hampton Price, the Principal Clerk S. Ray Byerly calls Senator L. Y. Ballentine to the Chair who calls the Senate to order and presides during the Session.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Whitaker for the Committee on Journal announces that he

has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 24, a bill to validate bonds and coupons of the town of Ruthersfordton and to authorize the issuance of refunding and funding bonds, and to amend Section 19 of the Charter of the town as enacted by Chapter 42 of the Private Laws of 1924, Extra Session.

Referred to Committee on Finance.

H. B. 25, a bill to repeal Chapter 176 of the Public Local Laws of 1941, relating to the exemption of fox hounds from taxation in Hertford County.

Referred to Committee on Finance.

H. B. 37, a bill to amend Chapter 126 of the Public Laws of 1935, as amended, being an act providing for the extension of the time to pay street assessments.

Referred to Committee on Finance.

H. B. 44, a bill to make more elastic the punishments for certain violations of the Lottery and Gaming Laws of the State of North Carolina.

Referred to Committee on Judiciary No. 1.

H. R. 47, a joint resolution authorizing the members of the House and Senate Committees on Interstate Cooperation to attend the sixth General Assembly of the Council of State Governments in Baltimore, Maryland.

Referred to Committee on Interstate Cooperation.

H. B. 57, a bill to authorize the county of Wilson and the town of Wilson jointly to acquire, equip and maintain a house or other quarters for the relief and entertainment of transient members of the armed forces of the United States.

Referred to Committee on Counties, Cities and Towns.

Upon motion of Senator Cherry, the Senate adjourns to meet Monday night at 8:00 o'clock.

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#### ELEVENTH DAY

SENATE CHAMBER,  
Monday, January 18, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct,



and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Palmer, the courtesies of the floor are extended to J. B. Van Hoy, Senator Palmer's former law partner.

Upon motion of Senator Larkins, the courtesies of the floor are extended to former Senator J. Clyde Council of Wananish, Columbus County.

The President extends the courtesies of the galleries to Mrs. Rivers D. Johnson, wife of Senator Johnson, and their son.

The President extends the courtesies of the floor to former Representative Thomas E. Hoyle of Guilford County.

Upon motion of Senator Taylor, the courtesies of the floor are extended to A. S. Brower of Durham, presently a member of the Advisory Budget Commission.

#### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. R. 21, a joint resolution to authorize and provide for the printing of the Governor's Address and Budget Message to the General Assembly.

H. R. 48, a joint resolution to petition the office of Price Administration to fairly adjust regulations concerning oily carcass hogs.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Johnson of Halifax: S. B. 31, a bill to amend Section 3316 of the Consolidated Statutes of 1919, relating to the registration of deeds or agreements for right-of-ways and easements.

Referred to Committee on Judiciary No. 2.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 14, a bill revising and consolidating the Public and General Statutes of the State of North Carolina.

The amendment offered by the Committee, held to be material, is adopted, constituting the first reading of the bill and the bill takes its place on the second reading roll call Calendar.

S. B. 25, a bill to amend Subsection 2 of Section 2937 of the Consolidated Statutes, as amended, the same being a part of the Municipal Finance Act, 1921, and relating to the funding and refunding of indebtedness, upon second reading.

The bill passes its second reading by roll call vote, ayes 39, noes 0, as follows:

Thoe voting in the affirmative are: Senators Bailey, Ballentine, Bar-

ber, Barker, Blythe, Brock, Brooks, Chaffin, Cole, Currie, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—39.

SPECIAL MESSAGE FROM THE GOVERNOR

The following message is received from His Excellency, Governor J. Melville Broughton:

Monday, January 18, 1943.

*Mr. President, Mr. Speaker and Members of the General Assembly:*

Under the provisions of Joint Resolution No. 23 of the General Assembly of 1941 the Governor was authorized and directed to appoint a commission for the special purpose of studying the usury laws of the State of North Carolina and to make a report and recommendations to the next Session of the General Assembly. I appointed as members of this commission the following:

Hon. Shelly B. Caveness

Hon. R. E. Kerr

Hon. George R. Uzzell

Hon. Roy Rowe

Professor Wm. Hays Simpson

This commission has submitted its report and I transmit the same herewith for the consideration of the General Assembly.

The message is referred to the Committee on Judiciary No. 2.

Upon motion of Senator Larkins, the Senate adjourns to meet tomorrow at 12 o'clock M.

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TWELFTH DAY

SENATE CHAMBER,

Tuesday, January 19, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Bailey, the courtesies of the floor are extended to former Senator and former Member of the House of Representatives Jack Morphew of Graham County.

The President extends the courtesies of the floor to former Senator and former President *pro tempore* W. Erskine Smith of Stanly County.

The President extends the courtesies of the floor to former Senator O. B. Moss of Nash County.



Upon motion of Senator Daniel, the courtesies of the floor are extended to Miss Annie Taylor, former Collector of Customs of Washington.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Johnson of Duplin, for the Committee on Judiciary No. 1.

S. B. 7, a bill to amend Sections 4657 and 4658 of the Consolidated Statutes substituting death by electrocution in place of death by lethal gas in North Carolina, with an unfavorable report.

By Senator Johnson of Duplin, for the Committee on Judiciary No. 1.

S. B. 17, a bill to validate transcripts of judgments certified in the name of deputy clerks of the Superior Courts, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Brock: S. B. 32, a bill to validate and declare legal all acts of the deputy clerks of the Superior Courts of North Carolina which have been performed in the name of the clerk.

Referred to Committee on Judiciary No. 2

By Senator Lanier: S. B. 33, a bill to amend Section 1676 of the Consolidated Statutes, eliminating the criminal penalty for failure to pay the dog tax license.

Referred to Committee on Judiciary No. 1.

By Senator Johnson of Halifax: S. B. 34, a bill to amend Section 4410 of the Consolidated Statutes of 1919, as amended, to permit the tax collector and deputy tax collectors of Halifax County to carry arms when on official duty.

Referred to Committee on Judiciary No. 2.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

S. B. 8, a bill to authorize the Governor and State Treasurer, with the approval of the Council of State, to invest funds in the State in excess of the amount required to meet the current needs of the State in interest-bearing securities of the State and Federal Governments, for concurrence in the House amendment.

Upon motion of Senator Taylor, the bill is placed upon the Calendar.

H. R. 55, a joint resolution inviting the Honorable Cordell Hull, Secretary of State of the United States, to address a joint Session of the General Assembly.

Upon motion of Senator Blythe, the rules are suspended and the resolution is taken up for immediate consideration.

Passes its second and third readings and is ordered enrolled.

H. R. 77, a joint resolution commemorating General Robert E. Lee's birthday.

Upon motion of Senator Pittman, the rules are suspended and the resolution is taken up for immediate consideration.

Passes its second and third readings and is ordered enrolled.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 14, a bill revising and consolidating the Public and General Statutes of the State of North Carolina, upon second reading.

The bill passes its second reading by roll call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—45.

S. B. 25, a bill to amend Subsection 2 of Section 2937 of the Consolidated Statutes, as amended, the same being a part of the Municipal Finance Act, 1921, and relating to the funding and refunding of indebtedness, upon third reading.

The bill passes its third reading by roll call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—45.

The bill is ordered sent to the House of Representatives.

Upon motion of Senator Johnson of Duplin, the Senate adjourns in memory of the 136th birthday of Robert E. Lee to meet tomorrow at 12 o'clock M.

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#### THIRTEENTH DAY

SENATE CHAMBER,

Wednesday, January 20, 1943.

The Senate meets pursuant to adjournment, and in the absence of the Lieutenant Governor R. L. Harris, is called to order by the President *pro tempore*, J. Hampton Price.

Prayer is offered by Rev. R. C. Foster of Leaksville, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct,



and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator O'Berry, the courtesies of the lobby are extended to Honorable Josephus Daniels, former Ambassador to Mexico.

Upon motion of Senator Larkins, the courtesies of the floor are extended to George Hughes, Clerk of the Superior Court of Jones County, and now President of the Clerk's Association.

Upon motion of Senator Johnson of Halifax, the courtesies of the floor are extended to former Senator W. C. Ewing of Cumberland County.

Upon motion of Senator Clark, the courtesies of the galleries are extended to Mrs. Rivers D. Johnson, wife of Senator Johnson of Duplin County.

Upon motion of Senator Mitchell, the courtesies of the floor are extended to D. D. Nance of Iredell County.

Upon motion of Senator Johnson of Duplin, the courtesies of the galleries are extended to Mrs. Ed. T. Tonissen, wife of Representative Tonissen of Mecklenburg County.

Upon motion of Senator Johnson of Duplin, the courtesies of the floor are extended to Rev. R. C. Foster of Leaksville, N. C.

Upon motion of Senator Barber, the courtesies of the floor are extended to former Lieutenant Governor W. P. Horton of Chatham County.

Upon motion of Senator Ballentine, the courtesies of the floor are extended to former Senator Joe Warren of Caswell County.

The President *pro tempore* extends the courtesies of the floor to former Senator P. W. Glidewell of Rockingham County, J. K. Lewis and Thomas Johnson, both of Draper, N. C.

Upon motion of Senator Smith, the courtesies of the floor are extended to R. C. Llewellyn and Mr. Jones of Surry County.

Upon motion of Senator Hudgins, the courtesies of the galleries are extended to Mrs. J. Hampton Price, wife of Senator Price and President of the Sir Walter Cabinet of Rockingham County.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator O'Berry, for the Committee on Finance:

H. B. 24, a bill to validate bonds and coupons of the town of Ruthersfordton and to authorize the issuance of refunding and funding bonds, and to amend Section 19 of the charter of the town as enacted by Chapter 42 of the Private Laws of 1924, Extra Session, with a favorable report.

H. B. 25, a bill to repeal Chapter 176 of the Public Local Laws of 1941, relating to the exemption of fox hounds from taxation in Hertford County, with a favorable report.

H. B. 36, a bill to exempt members of the armed forces of the United States and members of the Merchant Marine from poll taxes, with a favorable report.

H. B. 37, a bill to amend Chapter 126 of the Public Laws of 1935, as amended, being "An Act providing for the extension of time to pay street assessments," with a favorable report.

By Senator Watkins, for the Committee on Counties, Cities and Towns:

S. B. 16, a bill to provide for a more uniform representation of the people of Halifax County on the board of county commissioners, with a favorable report.

H. B. 57, a bill to authorize the county of Wilson and the town of Wilson jointly to acquire, equip and maintain a house or other quarters for the relief and entertainment of transient members of the armed forces of the United States, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Hodges: S. B. 35, a bill amending Section 32 of Chapter 81, Public Laws of 1927, as amended, being a part of the county Finance Act and Section 2950 of the Consolidated Statutes, as amended, being a part of the Municipal Finance Act extending the time within which funding and refunding bonds may be issued applicable only to Buncombe County and municipalities therein.

Referred to Committee on Finance.

By Senator Johnson of Duplin: S. B. 36, a bill to transfer certain unexpended funds to the general fund in the county of Duplin.

Referred to Committee on Judiciary No. 1.

By Senator Price: S. B. 37, a bill to allow the County Commissioners of Rockingham County to invest funds in their hands for constructing agricultural shop buildings in bonds or obligations of the United States or guaranteed by the United States.

Referred to Committee on Finance.

By Senator Larkins: S. B. 38, a bill to amend Chapter 1 of the Public Laws of the Extra Session of 1936, known as the Unemployment Compensation Law, and all amendments and additions thereto.

Referred to Committee on Unemployment Compensation.

By Senator O'Berry: S. B. 39, a bill with relation to fees for issuing charters of incorporation amending Chapter 22 of the Consolidated Statutes.

Referred to Committee on Finance.

By Senator Weathers: S. B. 40, a bill to amend Section 7049 of the Consolidated Statutes of 1919, relating to the term of office and qualifications of members of the North Carolina Board of Health.

Referred to Committee on Public Health.



## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. R. 85, a joint resolution inviting Honorable Henry B. Steagall, Congressman from the Third District of Alabama and Chairman of the Banking and Currency Committee, to address a joint Session of the General Assembly.

Upon motion of Senator Ballentine, the rules are suspended and the resolution is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 8, a bill to authorize the Governor and State Treasurer, with the approval of the Council of State, to invest funds in the State Treasury in excess of the amount required to meet the current needs of the State in interest-bearing securities of the State and Federal governments, for concurrence in the House amendment.

Upon motion of Senator Taylor, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 17, a bill to validate transcripts of judgments certified in the name of deputy clerks of the Superior Court.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 14, a bill revising and consolidating the Public and General Statutes of the State of North Carolina, upon third reading.

The bill passes its third reading by roll call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Mitchell, McKee, O'Berry, Palmer, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—47.

The bill is ordered sent to the House of Representatives, without engrossment.

Upon motion of Senator Larkins, the Senate adjourns to meet tomorrow at 12 o'clock M.

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FOURTEENTH DAY

SENATE CHAMBER,

Thursday, January 21, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Price, the courtesies of the floor are extended to P. W. Glidewell, Jr., of Rockingham County.

Upon motion of Senator Hudgins, the courtesies of the galleries are extended to Frank R. Richardson, Superintendent of Schools, Troy, N. C.

Upon motion of Senator Wallace, the courtesies of the galleries are extended to Mr. Garris of Montgomery County.

Upon motion of Senator Hodges, the courtesies of the galleries are extended to Judge Sam Caffey of the Asheville Police Court.

Upon motion of Senator Mitchell, the courtesies of the galleries are extended to Doctor Roma Cheek, Executive Secretary of the Blind Commission.

#### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. R. 55, a joint resolution inviting the Honorable Cordell Hull, Secretary of State of the United States, to address a joint Session of the General Assembly.

H. B. 77, a joint resolution commemorating General Robert E. Lee's birthday.

S. B. 8, an act to authorize the Governor and State Treasurer, with the approval of the Council of State, to invest funds in the State Treasury in excess of the amount required to meet the current needs of the State in interest-bearing securities of the State and Federal governments.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator O'Berry, for the Committee on Finance:

S. B. 22, a bill to amend Section 5 of the Charter of the Town of Candor, as amended by Chapter 67 of the Private Laws of 1924, Extra Session, to validate all proceedings heretofore taken in relation to the issuance of \$10,000.00 water bonds of said town, and prescribing the vote required upon an ordinance to authorize bonds of said town for necessary expenses, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Hudgins: S. B. 41, a bill to amend Chapter 159 of the Public Laws of 1939 relating to absentee voting in general elections.

Referred to Committee on Election Laws.



By Senator Hudgins: S. B. 42, a bill to amend Chapter 348 of the Public Laws of 1931 relating to the election laws.

Referred to Committee on Election Laws.

By Senator Barber: S. B. 43, a bill to create 21 Solicitorial Districts as authorized by the Constitutional amendment adopted in November, 1942.

Referred to Committee on Courts and Judicial Districts.

By Senators Cherry, Larkins and O'Berry: S. B. 44, a bill to amend Chapter 157 of the Public Laws of 1941, relating to the law enforcement officers benefit and retirement fund.

Referred to Committee on Finance.

By Senators Cherry, Larkins and O'Berry: S. B. 45, a bill to allow members of the State Highway Patrol to make election between membership in the Teachers and State Employees Retirement System and the Law Enforcement Officers Benefit and Retirement Fund.

Referred to Committee on Finance.

By Senators Larkins and Cherry: S. B. 46, a bill with reference to public liability of sheriffs on account of acts of special deputies appointed on account of the war emergency, and with reference to the workmen's compensation for liability on account of such deputy sheriffs.

Referred to Committee on Judiciary No. 1.

By Senators Larkins and Cherry: S. B. 47, a bill to authorize sheriffs and other law enforcement officers in the State of North Carolina to arrest persons charged with the commission of misdemeanors anywhere in the State under certain conditions.

Referred to Committee on Judiciary No. 1.

By Senator Pittman: S. B. 48, a bill to amend Section 956 of the Consolidated Statutes, Volume 1, 1919, as amended by Chapter 156 of the Public Laws of 1931, relating to reports of the clerk of the Superior Court of Greene County.

Referred to Committee on Judiciary No. 2.

By Senator Price: S. B. 49, a bill to amend Section 6 of Chapter 622 of the Public Local Laws of 1937 to equalize the salaries of public officials of Rockingham County.

Referred to Committee on Salaries and Fees.

By Senators O'Berry and Price: S. B. 50, a bill authorizing counties, cities and towns to invest unused proceeds of the sale of bonds.

Referred to Committee on Finance.

By Senator Blythe: S. R. 51, a joint resolution empowering the Governor of North Carolina to appoint a special committee for the purpose of investigating the present facilities of the Caswell Training School, and making recommendations as to how said facilities may be expanded to meet the present needs and requirements of an institution of this type.

Upon motion of Senator Blythe, the rules are suspended and the resolution is taken up for immediate consideration.

Passes its second and third readings and is ordered sent to the House of Representatives.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

S. B. 2, a bill to create a State Post-War Reserve Fund, and making an appropriation of \$20,000,000.00 from the General Fund of the State, for concurrence in the House amendment.

Upon motion of Senator Taylor, the bill is placed upon the Calendar.

HOUSE OF REPRESENTATIVES,  
Wednesday, January 20, 1943.

*Mr. President:*

It is ordered that a message be sent your Honorable Body with the information that pursuant to H. R. 55, entitled "A joint resolution inviting the Honorable Cordell Hull, Secretary of State of the United States, to address a Joint Session of the General Assembly," Mr. Speaker Kerr has appointed as a Committee on the part of the House of Representatives to serve with a like Committee designated by the Senate, Messrs. Ritch, Pritchett and Honeycutt.

Respectfully,

SHEARON HARRIS, *Principal Clerk.*

The President appoints as a Committee on the part of the Senate, Senators Price and Blythe, and a message is ordered sent to the House of Representatives informing that Body of such action.

HOUSE OF REPRESENTATIVES,  
Wednesday, January 20, 1943.

*Mr. President:*

It is ordered that a message be sent your Honorable Body with the information that pursuant to H. R. 85, entitled "A joint resolution inviting Hon. Henry B. Steagall, Congressman from the Third District of Alabama, and Chairman of the Banking and Currency Committee, to address a Joint Session of the General Assembly," Mr. Speaker Kerr has appointed as a Committee on the part of the House of Representatives to serve with a like Committee designated by your Honorable Body, Messrs. Everett, Pearsall and Poole.

Respectfully,

SHEARON HARRIS, *Principal Clerk.*

The President appoints as a Committee on the part of the Senate, Senators Graham and Lanier, and a message is ordered sent to the House of Representatives informing that Body of such action.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 24, a bill to validate bonds and coupons of the town of Rutherfordton and to authorize the issuance of refunding and funding bonds, and to amend Section 19 of the charter of the town as enacted by



Chapter 42 of the Private Laws of 1924, Extra Session, upon second reading.

The bill passes its second reading by roll call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—47.

H. B. 25, a bill to repeal Chapter 176 of the Public Local Laws of 1941, relating to the exemption of fox hounds from taxation in Hertford County, upon second reading.

The bill passes its second reading by roll call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—47.

S. B. 16, a bill to provide for a more uniform representation of the people of Halifax County on the board of county commissioners.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 57, a bill to authorize the county of Wilson and the town of Wilson jointly to acquire, equip, and maintain a house or other quarters for the relief and entertainment of transient members of the armed forces of the United States.

Passes its second and third readings and is ordered enrolled.

H. B. 36, a bill to exempt members of the armed forces of the United States and members of the Merchant Marine from poll taxes.

Passes its second and third readings and is ordered enrolled.

H. B. 37, a bill to amend Chapter 126 of the Public Laws of 1935, as amended, being an Act providing for the extension of time to pay street assessments.

Passes its second and third readings and is ordered enrolled.

#### APPOINTMENT OF COMMITTEES

The President appoints as a Committee on Interstate Cooperation to attend the meeting in Baltimore on Interstate Cooperation, in lieu of Senators Johnson of Duplin, Price and Clark, Senators Hodges, Horton and Blythe.

Upon motion of Senator Larkins, the Senate adjourns to meet tomorrow at 12 o'clock M.

**FIFTEENTH DAY**

SENATE CHAMBER,

Friday, January 22, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. K. Proctor, Superintendent of Oxford Orphanage, Oxford, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator O'Berry, the courtesies of the lobby are extended to Mr. and Mrs. Ingle of Reading, Pennsylvania.

Upon motion of Senator Pittman, the courtesies of the galleries are extended to Mrs. Maude Baynor Foy and her daughter, Miss Maude Foy, of Kinston, N. C.

Upon motion of Senator Mitchell, the courtesies of the galleries are extended to M. B. Gilliam of Mooresville, N. C.

Upon motion of Senator Horton, the courtesies of the lobby are extended to Charles A. Jenkins, member of the Board of Conservation and Development, Aulander, N. C.

**REPORTS OF COMMITTEES**

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Johnson of Duplin, for the Committee on Judiciary No. 1:

S. B. 15, a bill to establish procedure for issuance of a certificate of title to the heirs of devisees of land registered under Chapter 47 of the Consolidated Statutes of North Carolina, upon the death of the registered owner of same, with a favorable report.

By Senator O'Berry, for the Committee on Finance:

S. B. 26, a bill authorizing cities and towns to establish capital reserve funds, with a favorable report, as amended.

S. B. 35, a bill amending Section 32 of Chapter 81, Public Laws of 1927, as amended, being a part of the County Finance Act, and Section 2950 of the Consolidated Statutes, as amended, being a part of the Municipal Finance Act extending the time within which funding and refunding bonds may be issued: applicable only to Buncombe County and municipalities therein, with a favorable report.

S. B. 37, a bill to allow the county commissioners of Rockingham County to invest funds in their hands for constructing agricultural shop buildings in bonds or obligations of the United States or guaranteed by the United States, with a favorable report.

S. B. 39, a bill with relation to fees for issuing charters of incorporation amending Chapter 22 of Consolidated Statutes, with a favorable report.



S. B. 44, a bill to amend Chapter 157 of the Public Laws of 1941, relating to the Law Enforcement Officers Benefit and Retirement Fund, with a favorable report, as amended.

S. B. 45, a bill to allow members of the State Highway Patrol to make election between membership in the Teachers and State Employees Retirement System and the Law Enforcement Officers Benefit and Retirement Fund, with a favorable report.

S. B. 50, a bill authorizing counties, cities and towns to invest unused proceeds of the sale of bonds, with a favorable report.

By Senator Watkins, for the Committee on Counties, Cities and Towns:

H. B. 7, a bill to appoint Newton N. Hampton special deputy sheriff and tax collector for Crawford township in Currituck County, and to fix his salary and term of office, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Hudgins: S. B. 52, a bill to amend Section 5789 and 5791 of the Consolidated Statutes of 1919, relating to the membership of the Board of Trustees of the University of North Carolina.

Referred to Committee on Trustees of the University.

By Senator Hudgins: S. B. 53, a bill to amend Section 1443 of the Consolidated Statutes of 1919, as amended, and to provide for sessions or terms of the Superior Court in cities other than the county seat which have a population of as many as 35,000 inhabitants.

Referred to Committee on Courts and Judicial Districts.

By Senators Horton, Johnson of Duplin, Evans and Carlyle: S. B. 54, a bill to amend the School Machinery Act of 1939, to provide for a nine-months school term.

Referred to Committee on Education.

By Senator Wilson: S. B. 55, a bill to allow the arresting officers of Caldwell County a fee for the capture of illegally possessed or tax-paid liquor.

Referred to Committee on Salaries and Fees.

By Senator Carlyle: S. B. 56, a bill regulating the salary of clerk of Superior Court of Forsyth County, to establish the right to fees and unallocated interest received by the Clerk of Superior Court of Forsyth County, to repeal Chapter 491 of the Public Local Laws of 1935, and for other purposes.

Referred to Committee on Salaries and Fees.

By Senator Hudgins: S. B. 57, a bill to amend Chapter 247 of the Public Local Laws of 1927, relating to the salary of the county treasurer of Guilford County.

Referred to Committee on Counties, Cities and Towns.

By Senator Hudgins: S. B. 58, a bill to amend Section 4 of Chapter 101 of the Public Local Laws of 1919, as amended, relating to the salary of the register of deeds of Guilford County.

Referred to Committee on Counties, Cities and Towns.

By Senator Hudgins: S. B. 59, a bill to amend Section 2 of Chapter 427 of the Public Local Laws of 1927, as amended, relating to the salary of the sheriff of Guilford County.

Referred to Committee on Counties, Cities and Towns.

By Senator Daniel: S. B. 60, a bill for the relief of William Hardy Davenport, former employee of the State Highway Commission.

Referred to Committee on Public Roads.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 22, a bill to amend Section 5 of the charter of the town of Candor, as amended by Chapter 67 of the Private Laws of 1924, Extra Session, to validate all proceedings heretofore taken in relation to the issuance of \$10,000.00 water bonds of said town, and prescribing the vote required upon an ordinance to authorize bonds of said town for necessary expenses, upon second reading.

The bill passes its second reading by roll call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Taylor, Wade, Wallace, Watkins, Weathers, Whitaker, Wilson—47.

H. B. 24, a bill to validate bonds and coupons of the town of Rutherfordton and to authorize the issuance of refunding and funding bonds, and to amend Section 19 of the charter of the town as enacted by Chapter 42 of the Private Laws of 1924, Extra Session, upon third reading.

The bill passes its third reading by roll call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Taylor, Wade, Wallace, Watkins, Weathers, Whitaker, Wilson—47.

The bill is ordered enrolled.

H. B. 25, a bill to repeal Chapter 176 of the Public Local Laws of 1941, relating to the exemption of fox hounds from taxation in Hertford County, upon third reading.

The bill passes its third reading by roll call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine,



Barber, Barker, Benton, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Taylor, Wade, Wallace, Watkins, Weathers, Whitaker, Wilson—47.

The bill is ordered enrolled.

S. B. 2, a bill to create a State Post-War Reserve Fund, and making an appropriation of \$20,000,000.00 from the general fund of the State, for concurrence in the House amendments.

Upon motion of Senator Taylor, the Senate concurs in the House amendments and the bill is ordered enrolled.

Upon motion of Senator Larkins, the Senate adjourns to meet tomorrow morning at 10 o'clock, at which time only Public Local bills will be considered, and adjournment will be until Monday evening at 8 o'clock.

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## SIXTEENTH DAY

SENATE CHAMBER,

Saturday, January 23, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Cherry, the courtesies of the galleries are extended to Mrs. John D. Larkins, Sr., mother of Senator Larkins, Mrs. John D. Larkins, Jr., wife of Senator Larkins, Miss Elizabeth Larkins, sister of Senator Larkins, and Mrs. Read of Jones County.

Upon motion of Senator Cherry, Misses Emma Sue Larkins and Paula Larkins, daughters of Senator Larkins, are made honorary pages of the Senate.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Johnson of Duplin, for the Committee on Judiciary No. 1:  
S. B. 36, a bill to transfer certain unexpended funds to the general fund in the county of Duplin, with a favorable report.

S. B. 33, a bill to amend Section 1676 of the Consolidated Statutes, eliminating the criminal penalty for failure to pay the dog tax license, with a favorable report.

S. B. 46, a bill with reference to public liability of sheriffs on account of acts of special deputies appointed on account of the war emergency,

and with reference to the workmen's compensation for liability on account of such deputy sheriffs, with a favorable report.

S. B. 47, a bill to authorize sheriffs and other law enforcement officers in the State of North Carolina to arrest persons charged with the commission of misdemeanors anywhere in the State under certain conditions, with a favorable report.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 6, a bill to amend the Fayetteville Primary Election Law.

Referred to Committee on Election Laws.

H. B. 10, a bill to repeal Chapter 316 of the Public Local Laws of 1941, relating to the salary of the deputy sheriff of Currituck County assigned to and residing in Crawford Township.

Referred to Committee on Salaries and Fees.

H. B. 22, a bill to enable the board of commissioners of Alleghany County to appoint tax collector to collect back taxes for the years of 1937, 1938, 1939, 1940 and 1941.

Referred to Committee on Counties, Cities and Towns.

H. B. 23, a bill to repeal Section 3 of Chapter 167, Public Local Laws of 1931, relating to the pay of the janitor of the court house of Madison County.

Referred to Committee on Salaries and Fees.

H. B. 30, a bill to fix salaries for public officials and employees in Orange County.

Referred to Committee on Salaries and Fees.

H. B. 50, a bill to increase the membership on the board of county commissioners of Gates County from three to five, to divide said county into five districts for the nomination of members of said board, and to fix their terms of office.

Referred to Committee on Counties, Cities and Towns.

H. B. 53, a bill to prohibit the county commissioners of Currituck County from authorizing the use of any space on the court house lot for the purpose of erecting any building for private benefit.

Referred to Committee on Counties, Cities and Towns.

H. B. 54, a bill to amend Chapter 201 of the Private Laws of 1905, relating to police officers of the town of Mount Olive.

Referred to Committee on Counties, Cities and Towns.

H. B. 56, a bill to provide compensation for the mayor and the board of commissioners or aldermen of the town of Maiden, N. C.

Referred to Committee on Counties, Cities and Towns.

H. B. 59, a bill to fix the compensation of the members of the board of county commissioners, the members of the county board of education and warrant officers in Gates County.

Referred to Committee on Salaries and Fees.

H. B. 76, a bill to require the board of education of Currituck County to hold its meetings in the court house of said county.



Referred to Committee on Education.

H. B. 83, a bill to repeal Chapter 525 of the Public Laws of 1933, with reference to the publication of the annual statement of claims and revenues in Hertford County.

Referred to Committee on Counties, Cities and Towns.

H. B. 84, a bill requiring the sheriff, deputy sheriffs, special deputy sheriffs, and all other law enforcement officers in Currituck County to account for fees collected for the service of warrants and other process issued pursuant to a citation issued by a State Highway Patrolman or other officer connected with the State Highway Patrol.

Referred to Committee on Salaries and Fees.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 37, a bill to allow the county commissioners of Rockingham County to invest funds in their hands for constructing agricultural shop buildings in bonds or obligations of the United States or guaranteed by the United States.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 7, a bill to appoint Newton N. Hampton special deputy sheriff and tax collector for Crawford Township in Currituck County, and to fix his salary and term of office.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Larkins, the Senate adjourns to meet Monday evening at 8 o'clock.

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#### SEVENTEENTH DAY

SENATE CHAMBER,

Monday, January 25, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. Carl Townsend, Pastor of Hayes Barton Baptist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of Saturday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The President extends the courtesies of the galleries to Mrs. Raymond Smith, wife of Senator Smith of Surry County.

The President extends the courtesies of the lobby to Speed Riggs, Lucky Strike Auctioneer of Goldsboro, N. C.

Upon motion of Senator Price, the courtesies of the galleries are extended to Mr. and Mrs. R. W. Newsome of Winston-Salem, N. C.

Upon motion of Senator Price, the courtesies of the floor are extended to former Senators J. C. Brown and Benton Stacy of Rocking-

ham County, Sheriff Young of Rockingham County and Mr. Moore, Mayor of Madison.

The President extends the courtesies of the lobby to Solicitor Earl McMichael of Winston-Salem, N. C.

The President extends the courtesies of the galleries to William T. Culpepper, former member of the House of Representatives and now Postmaster at Elizabeth City, N. C.

Upon motion to Senator Sanders, the courtesies of the lobby are extended to Mrs. H. Grady Farthing, wife of Senator Farthing of Watauga County.

The President extends the courtesies of the floor to Thad Eure, Secretary of State, Charles M. Johnson, State Treasurer, W. Kerr Scott, Commissioner of Agriculture, and D. B. McCrary, Acting Chairman of the State Highway Commission.

Upon motion of Senator Pittman, the courtesies of the galleries are extended to J. R. Turnage and M. T. Frizzelle of Ayden, N. C.

Upon motion of Senator Lanier, the courtesies of the galleries are extended to Mr. Bunting and Mr. Staton of Bethel, N. C.

Upon motion of Senator Ballentine, the courtesies of the galleries are extended to Rev. and Mrs. T. Floyd Adams of Willow Springs, N. C.

Upon motion of Senator O'Berry, S. B. 37, a bill to allow the County Commissioners of Rockingham County to invest funds in their hands for constructing agricultural shop buildings in bonds or obligations of the United States or guaranteed by the United States, is recalled from the House of Representatives, for further consideration by the Senate.

#### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State.

H. R. 85, a joint resolution inviting Honorable Henry B. Steagall, Congressman from the Third District of Alabama and Chairman of the Banking and Currency Committee, to address a Joint Session of the General Assembly.

H. B. 36, an act to exempt members of the armed forces of the United States and members of the Merchant Marine from poll taxes.

H. B. 37, an act to amend Chapter 126 of the Public Laws of 1935, as amended, being "An act providing for the extension of time to pay street assessments."

H. B. 57, an act to authorize the county of Wilson and the town of Wilson jointly to acquire, equip and maintain a house or other quarters for the relief and entertainment of transient members of the armed forces of the United States.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator O'Berry: S. B. 61, a bill to authorize the board of



county commissioners of Wayne County to remit taxes for 1943 on all real property in Wayne County which the United States government took possession of for military purposes prior to January 1, 1943, pursuant to contract executed prior to said January 1st, provided such real property shall be conveyed to the United States or to some agency thereof for military purposes before July 1, 1943.

Upon motion of Senator O'Berry, the rules are suspended and the bill is taken up for immediate consideration.

Passes its second and third readings and is ordered sent to the House of Representatives by special messenger.

By Senator Daniel: S. B. 62, a bill to fix the salary of the chairman and board of commissioners of Beaufort County.

Referred to Committee on Salaries and Fees.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 34, a bill to provide that the public schools of Currituck County shall be operated during certain winter months on Eastern Standard Time in force prior to the 20th of January, 1942.

Referred to Committee on Propositions and Grievances.

H. B. 91, a bill to amend Section 65 (A) of Volume 3 of the Consolidated Statutes of 1924 to make said Section applicable to Caswell County.

Referred to Committee on Judiciary No. 2.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 22, a bill to amend Section 5 of the charter of the town of Candor, as amended by Chapter 67 of the Private Laws of 1924, Extra Session, to validate all proceedings heretofore taken in relation to the issuance of \$10,000.00 water bonds of said town, and prescribing the vote required upon an ordinance to authorize bonds of said town for necessary expenses, upon third reading.

The bill passes its third reading by roll call vote, ayes 32, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Brown, Chaffin, Cole, Currie, Daniel, Eagles, Farthing, Graham, Gregory, Harrelson, Hudgins, Johnson of Halifax, Lanier, Matheny, McKee, O'Berry, Palmer, Pittman, Price, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Whitaker, Wilson—32.

The bill is ordered sent to the House of Representatives.

S. B. 36, a bill to transfer certain unexpended funds to the general fund in the county of Duplin.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 26, a bill authorizing cities and towns to establish capital reserve funds, upon second reading.

Amendment offered by the Committee, held not to be material, is adopted.

The bill, as amended, passes its second reading by roll call vote, ayes 33, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Brown, Chaffin, Cole, Currie, Daniel, Eagles, Farthing, Graham, Gregory, Harrelson, Horton, Hudgins, Johnson of Halifax, Lanier, Matheny, McKee, O'Berry, Palmer, Pittman, Price, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Whitaker, Wilson—33.

S. B. 35, a bill amending Section 32 of Chapter 81, Public Laws of 1927, as amended, being a part of the County Finance Act, and Section 2950 of the Consolidated Statutes, as amended, being a part of the Municipal Finance Act extending the time within which funding and refunding bonds may be issued applicable only to Buncombe County and municipalities therein, upon second reading.

The bill passes its second reading by roll call vote, ayes 33, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Brown, Chaffin, Cole, Currie, Daniel, Eagles, Farthing, Graham, Gregory, Harrelson, Horton, Hudgins, Johnson of Halifax, Lanier, Matheny, McKee, O'Berry, Palmer, Pittman, Price, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Whitaker, Wilson—33.

S. B. 44, a bill to amend Chapter 157 of the Public Laws of 1941 relating to the Law Enforcement Officers' Benefit and Retirement fund, upon second reading.

Amendment offered by the Committee, held not to be material, is adopted.

The bill, as amended, passes its second reading by roll call vote, ayes 31, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Brown, Chaffin, Cole, Currie, Daniel, Evans, Farthing, Graham, Gregory, Harrelson, Horton, Hudgins, Johnson of Halifax, Matheny, McKee, O'Berry, Pittman, Price, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Whitaker, Wilson—31.

S. B. 45, a bill to allow members of the State Highway Patrol to make election between membership in the Teachers and State Employees Retirement System and the Law Enforcement Officers' Benefit and Retirement Fund, upon second reading.

The bill passes its second reading by roll call vote, ayes 32, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Benton, Brown, Chaffin, Cole, Currie, Daniel, Eagles, Farthing, Graham, Gregory, Harrelson, Horton, Hudgins, Johnson of Halifax, Lanier, Matheny, McKee, O'Berry, Palmer, Pittman, Price, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Whitaker, Wilson—32.



S. B. 15, a bill to establish procedure for issuance of a certificate of title to the heirs or devisees of land registered under Chapter 47 of the Consolidated Statutes of North Carolina, upon the death of the registered owner of same.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 33, a bill to amend Section 1676 of the Consolidated Statutes, eliminating the criminal penalty for failure to pay the dog tax license.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 39, a bill with relation to fees for issuing charters of incorporation amending Chapter 22 of the Consolidated Statutes.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 50, a bill authorizing counties, cities and towns to invest unused proceeds of the sale of bonds.

Passes its second and third readings and is ordered sent to the House of Representatives.

Upon motion of Senator Ballentine, the Senate adjourns to meet tomorrow at 12 o'clock M.

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### EIGHTEENTH DAY

SENATE CHAMBER,

Tuesday, January 26, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The President extends the courtesies of the floor to former Speaker of the House of Representatives O. M. Mull of Cleveland County.

The President extends the courtesies of the galleries to Carlyle W. Higgins, United States District Attorney for the middle district of Alleghany County.

The President extends the courtesies of the floor to former Senator H. E. Stacy of Robeson County.

The President extends the courtesies of the floor to former Lieutenant Governor Richard T. Fountain of Rocky Mount, N. C.

Upon motion of Senator Cherry, the courtesies of the galleries are extended to Robert L. Thompson, former private secretary to Governor Clyde R. Hoey and now presently engaged in newspaper work.

Upon motion of Senator Horton, the courtesies of the floor are extended to former Senator Pat Johnson of Beaufort County.

Upon motion of Senator Horton, the courtesies of the galleries are extended to Professor C. B. Martin of Pantego, N. C.

Upon motion of Senator Currie, the courtesies of the galleries are extended to Mr. and Mrs. W. D. Sebastian of Carthage, N. C.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Price: S. B. 63, a bill to amend Chapter 99 of the Public Local Laws of Session of 1941 as same relates to duties of the clerk of Superior Court of Rockingham County.

Referred to Committee on Counties, Cities and Towns.

By Senator Whitaker: S. B. 64, a bill to further amend Section 3346, Volume 1 of the Consolidated Statutes of 1919, as amended by Chapter 24 of the Public Laws of 1929.

Referred to Committee on Judiciary No. 2.

By Senator Johnson of Halifax: S. B. 65, a bill to require payment of taxes as condition precedent to the registration of deeds of real property.

Referred to Committee on Judiciary No. 1.

By Senator Johnson of Halifax: S. B. 66, a bill to create a cemetery commission and to authorize the levying of a tax of 10 cents on the \$100.00 worth of property when approved by the qualified voters of the town of Weldon in Halifax County.

Referred to Committee on Finance.

By Senator Pittman: S. B. 67, a bill to provide for the enrollment of Senate Bill 14, "Revising and Consolidating the Public and General Statutes of the State of North Carolina," to provide that said bill shall not be printed in the Volume of Public Laws of 1943 required to be printed under Section 6111 of the Consolidated Statutes, and to authorize the changing of references in said bill to "The North Carolina Code" to read "The General Statutes," and to provide for the codification and incorporation of the Public Laws enacted in 1943 in the final edition of the General Statutes.

Referred to Committee on Recodification.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 4, a bill to reduce the corporate limits of the town of Rhodhiss and to amend the charter of said town, being Chapter 84 of the Private Laws of 1903, as amended by Chapter 104 of the Private Laws of 1905.

Referred to Committee on Counties, Cities and Towns.

H. B. 13, a bill to authorize the execution and delivery of deeds in the exercise of powers of sale in deeds of trust or mortgages if foreclosure sales have been conducted within the period allowed by the Statute of Limitations.

Referred to Committee on Judiciary No. 2.

H. B. 74, a bill providing for the assumption by Pender County of road bonds of Caswell Township and Columbia Township in said County.



Referred to Committee on Public Roads.

H. B. 75, a bill to legalize and validate acts done and proceedings taken to provide for the issuance of certain bonds of the city of New Bern, and to provide for the issuance of such bonds.

Referred to Committee on Finance.

H. B. 78, a bill to allow the deputy sheriffs of Caswell County a fee for the capture of illegally possessed or transported tax-paid liquor.

Referred to Committee on Counties, Cities and Towns.

H. B. 92, a bill to legalize and validate acts done and proceedings taken to provide for the issuance of certain bonds of the town of Murfreesboro and to provide for the issuance of such bonds, and to legalize and validate outstanding bonds to be refunded by the issuance of said bonds.

Referred to Committee on Finance.

H. B. 94, a bill to prevent the perpetration of certain fraudulent practices by photographers within the State of North Carolina.

Referred to Committee on Judiciary No. 2.

HOUSE OF REPRESENTATIVES,  
Tuesday, January 26, 1943.

*Mr. President:*

It is ordered that a message be sent your Honorable Body with the information that the House, complying with your request, is returning S. B. 37, entitled "To allow the county commissioners of Rockingham County to invest funds in their hands for constructing agricultural shop buildings in bonds or obligations of the United States or guaranteed by the United States," for further consideration by the Senate.

Respectfully,

SHEARON HARRIS, *Principal Clerk.*

Upon motion of Senator O'Berry, the vote by which the bill passed its third reading is reconsidered and upon his motion the bill is referred to the Committee on Finance.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 35, a bill amending Section 32 of Chapter 81, Public Laws of 1927, as amended, being a part of the County Finance Act, and Section 2950 of the Consolidated Statutes, as amended, being a part of the Municipal Finance Act extending the time within which funding and refunding bonds may be issued: applicable only to Buncombe County and municipalities therein, upon third reading.

The bill passes its third reading by roll call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Brock, Brown, Chaffin, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Horton, Johnson of Duplin, Johnson of Halifax, Leary, Matheny, McKee,

O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Whitaker, Wilson—38.

The bill is ordered sent to the House of Representatives.

S. B. 46, a bill with reference to public liability of sheriffs on account of acts of special deputies appointed on account of the war emergency, and with reference to the workmen's compensation for liability on account of such deputy sheriffs.

Upon motion of Senator Cherry, the bill is re-referred to the Committee on Judiciary No. 1.

Upon motion of Senator Johnson of Duplin, the Senate adjourns to meet tomorrow at 12 o'clock M.

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## NINETEENTH DAY

SENATE CHAMBER,  
Wednesday, January 27, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Blythe, the courtesies of the floor are extended to Major Ben Prince, former member of the Senate.

Upon motion of Senator O'Berry, the courtesies of the floor are extended to James W. Butler, Secretary of the Goldsboro Chamber of Commerce.

Upon motion of Senator Whitaker, the courtesies of the floor are extended to former Senator Dan K. Moore of Jackson County.

The President extends the courtesies of the floor to former President *pro tempore* Paul D. Grady of Kenly, N. C.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Barber, for the Committee on Courts and Judicial Districts:

S. B. 43, a bill to create 21 Solicitorial Districts as authorized by the Constitutional amendment adopted in November, 1942, with a favorable report.

S. B. 53, a bill to amend Section 1443 of the Consolidated Statutes of 1919, as amended, and to provide for sessions or terms of the Superior Court in cities other than the county seat which have a population of as many as 35,000 inhabitants, with a favorable report.



By Senator Carlyle, for the Committee on Interstate Cooperation:

H. R. 47, a joint resolution authorizing the members of the House and Senate Committees on Interstate Cooperation to attend the 6th General Assembly of the Council of State Governments in Baltimore, Maryland, with a favorable report.

Upon motion of Senator Carlyle, the bill is placed upon today's Calendar.

By Senator Pittman, for the Committee on Recodification:

S. B. 67, a bill to provide for the enrollment of S. B. 14, "Revising and consolidating the Public and General Statutes of the State of North Carolina," to provide that said bill shall not be printed in the volume of Public Laws of 1943 required to be printed under Section S111 of the Consolidated Statutes, and to authorize the changing of references in said bill to "The North Carolina Code" to read "The General Statutes," and to provide for the codification and incorporation of the Public Laws enacted in 1943 in the final edition of the General Statutes, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Daniel, by request: S. B. 68, a bill to require the appointments of county superintendents of public welfare, county health officers and game protectors to be approved by the boards of county commissioners in the counties in which they are to serve.

Referred to Committee on Counties, Cities and Towns.

By Senator Whitaker: S. B. 69, a bill to amend Chapter 28 of the Public Local Laws of 1941 relative to increasing the standard of the public school system of Graham County.

Referred to Committee on Education.

By Senator Smith: S. B. 70, a bill to amend Chapter 692 of the Public Local Laws of 1913, as amended by Chapter 809 of the Public Local Laws of 1915 and Chapter 76 of the Public Local Laws of 1925, relating to the appointment of a recorder and prosecuting attorney of the recorder's court of Mount Airy Township, Surry County.

Referred to Committee on Courts and Judicial Districts.

By Senator Taylor: S. B. 71, a bill to amend Section 16 of Chapter 33 of the Public Laws of 1929, relating to the commitment of veterans to United State Government Hospitals.

Referred to Committee on Federal Relations.

By Senator Johnson of Halifax: S. B. 72, a bill to amend Section 22½ of Chapter 358 of the Public Laws of 1939, relating to the change of the enrollment age of children in public schools.

Referred to Committee on Education.

By Senator Palmer, by request: S. B. 73, a bill to amend Chapter 199 of the Private Laws of 1921, being "An Act to amend the charter of the city of Concord, relating to the board of cemetery commissioners for the city of Concord, and the amount of funds to be used for the perpetual upkeep and management of Oakwood Cemetery."

Referred to Committee on Judiciary No. 1.

By Senators Larkins, Cherry and Pittman: S. B. 74, a bill to authorize the purchase of sets of the revised statutes for distribution to the Superior Court Judges and to the several clerks of the Superior Courts of the State.

Referred to Committee on Appropriations.

By Senator Evans: S. B. 75, a bill to amend Chapter 326 of the Public Laws of 1935, authorizing the Commissioner of Labor with the approval of the Director of the Budget to fix the salary of the chief boiler inspector.

Referred to Committee on Manufacturing, Labor and Commerce.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 88, a bill to amend Chapter 119 of the Public Laws of 1929, as amended, relating to the practice of barbering in the State of North Carolina, so as to bring the funds collected under the provisions of said Act under the supervision of the Director of the Budget.

Referred to Committee on Judiciary No. 1.

H. B. 107, a bill to amend Article 5 of Chapter 84 of Volume 2 of the Consolidated Statutes of 1919, as amended, relating to commercial feeding stuffs.

Referred to Committee on Agriculture.

H. B. 108, a bill to amend Article 6 of Chapter 84 of Volume 2 of the Consolidated Statutes of 1919, as amended, relating to stock and poultry tonics.

Referred to Committee on Agriculture.

HOUSE OF REPRESENTATIVES,  
Wednesday, January 27, 1943.

*Mr. President:*

It is ordered that a message be sent to the Senate informing your Honorable Body that pursuant to H. R. 85, entitled "A joint resolution inviting Honorable Henry B. Steagall, Congressman from the Third District of Alabama and Chairman of the Banking and Currency Committee to address a Joint Session of the General Assembly," that the House is now ready to receive the Senate and awaits your arrival.

Respectfully,

SHEARON HARRIS, *Principal Clerk.*

The President announces that in accordance with the joint resolution inviting Honorable Henry B. Steagall to address a Joint Session of the Legislature, the hour having arrived for the delivery of his message, the Senate, preceded by its officers, will repair to the Hall of the House of Representatives, there to sit in Joint Session with that Honorable Body.



## JOINT SESSION

The Senate is received by the members of the House of Representatives standing, and the Joint Session is called to order by Lieutenant Governor R. L. Harris.

Senator Lanier, on the part of the Committee appointed by the President of the Senate and the Speaker of the House of Representatives to escort Congressman Steagall to the Hall of the House, presents Congressman Steagall, who addresses the Joint Session.

At the conclusion of the address by Congressman Steagall, upon motion of Senator Ballentine, the Joint Session dissolves and the Senate returns to its Chamber.

The Senate resumes consideration of its regular business.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 44, a bill to amend Chapter 157 of the Public Laws of 1941, relating to the law enforcement officers benefit and retirement fund, upon third reading.

Senator Pittman offers an amendment which fails of adoption.

Senator Taylor offers an amendment, held not to be material, which is adopted.

The bill, as amended, passes its third reading by roll call vote, ayes 38, noes 5, as follows:

Those voting in the affirmative are: Senators Ballentine, Barber, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Evans, Farthing, Funderburk, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Matheny, O'Berry, Pittman, Poindexter, Price, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker—38.

Those voting in the negative are: Senators Bailey, Eagles, Graham, Lanier, Palmer—5.

The bill is ordered engrossed.

H. R. 47, a joint resolution authorizing the members of the House and Senate Committees on Interstate Cooperation to attend the 6th General Assembly of the Council of State Governments in Baltimore, Maryland.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Johnson of Duplin, the Senate adjourns to meet tomorrow at 12 o'clock M.

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TWENTIETH DAY

SENATE CHAMBER,  
Thursday, January 28, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The President extends the courtesies of the floor to former Senator James H. Clark of Bladen County.

Upon motion of Senator Hodges, the courtesies of the lobby are extended to Mrs. E. B. Whitaker, wife of Senator Whitaker of Swain County.

Upon motion of Senator Horton, the courtesies of the lobby are extended to Mrs. E. A. Daniel, wife of Senator Daniel of Beaufort County.

Upon motion of Senator Graham, the courtesies of the lobby are extended to Mrs. Max C. Wilson, wife of Senator Wilson of Caldwell County.

Upon motion of Senator Hudgins, the courtesies of the floor are extended to Honorable H. Hoyle Sink, Judge of the Twelfth Judicial District, Greensboro, N. C.

Upon motion of Senator Johnson of Duplin, the courtesies of the floor are extended to former Senator William D. Campbell of New Hanover County.

The President extends the courtesies of the floor to former Senator Archie Graham of Sampson County.

#### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. R. 51, a joint resolution empowering the Governor of North Carolina to appoint a special committee for the purpose of investigating the present facilities of the Caswell Training School, and making recommendations as to how said facilities may be expanded to meet the present needs and requirements of an institution of this type.

S. B. 2, an act to create a State Post-War Reserve Fund, and making an appropriation of \$20,000,000.00 from the General Fund of the State.

S. B. 61, an act to authorize the board of county commissioners of Wayne County to remit taxes for 1943 on all real property in Wayne County which the United States Government took possession of for military purposes prior to January 1, 1943, pursuant to contracts executed prior to said January 1, provided such real property shall be conveyed to the United States or to some agency thereof for military purposes before July 1, 1943.

H. B. 7, an act to appoint Newton N. Hampton special deputy sheriff and tax collector for Crawford Township in Currituck County, and to fix his salary and term of office.

H. B. 24, an act to validate bonds and coupons of the town of Rutherfordton and to authorize the issuance of refunding and funding bonds, and to amend Section 19 of the charter of the town as enacted by Chapter 42 of the Private Laws of 1924, Extra Session.



H. B. 25, an act to repeal Chapter 176 of the Public Local Laws of 1941, relating to the exemption of fox hounds from taxation in Hertford County.

#### ENGROSSED BILLS

Senator Poindexter, for the Committee on Engrossed Bills, reports the following bill as properly engrossed, and the same is ordered sent to the House of Representatives:

S. B. 44, a bill to amend Chapter 157 of the Public Laws of 1941, relating to the Law Enforcement Officers' Benefit and Retirement Fund.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Watkins, for the Committee on Counties, Cities and Towns:

S. B. 58, a bill to amend Section 4 of Chapter 101 of the Public Local Laws of 1919, as amended, relating to the salary of the register of deeds of Guilford County, with a favorable report.

S. B. 59, a bill to amend Section 2 of Chapter 427 of the Public Local Laws of 1927, as amended, relating to the salary of the sheriff of Guilford County, with a favorable report.

S. B. 63, a bill to amend Chapter 99 of the Public Local Laws of the Session of 1941 as same relates to duties of the clerk of Superior Court of Rockingham County, with a favorable report.

H. B. 4, a bill to reduce the corporate limits of the town of Rhodhiss and to amend the charter of said town, being Chapter 84 of the Private Laws of 1903, as amended by Chapter 104 of the Private Laws of 1905, with a favorable report.

H. B. 54, a bill to amend Chapter 201 of the Private Laws of 1905, relating to police officers of the town of Mount Olive, with a favorable report.

H. B. 56, a bill to provide compensation for the mayor and the board of commissioners or aldermen of the town of Maiden, N. C., with a favorable report.

H. B. 22, a bill to enable the board of commissioners of Alleghany County to appoint tax collector to collect back taxes for the years of 1937, 1938, 1939, 1940 and 1941, with a favorable report.

H. B. 50, a bill to increase the membership on the board of county commissioners of Gates County from three to five, to divide said county into five districts for the nomination of members of said board, and to fix their terms of office, with a favorable report.

H. B. 53, a bill to prohibit the county commissioners of Currituck County from authorizing the use of any space on the court house lot for the purpose of erecting any building for private benefit, with a favorable report.

H. B. 78, a bill to allow the deputy sheriffs of Caswell County a fee for the capture of illegally possessed or transported tax-paid liquor, with a favorable report.

H. B. 83, a bill to repeal Chapter 525 of the Public Laws of 1933, with reference to the publication of the annual statement of claims and revenues in Hertford County, with a favorable report.

S. B. 57, a bill to amend Chapter 247 of the Public Local Laws of 1927, relating to the salary of the county treasurer of Guilford County, with a favorable report.

By Senator Sanders, for the Committee on Judiciary No. 2:

S. B. 34, a bill to amend Section 4410 of the Consolidated Statutes of 1919, as amended, to permit the tax collector and deputy tax collectors of Halifax County to carry arms when on official duty, with a favorable report.

S. B. 48, a bill to amend Section 956 of the Consolidated Statutes, Volume 1, 1919, as amended by Chapter 156 of the Public Laws of 1931, relating to reports of the clerk of the Superior Court of Greene County, with a favorable report.

S. B. 64, a bill to further amend Section 3346, Volume 1, of the Consolidated Statutes of 1919, as amended by Chapter 24 of the Public Laws of 1929, with a favorable report.

H. B. 94, a bill to prevent the perpetration of certain fraudulent practices by photographers within the State of North Carolina, with a favorable report.

H. B. 13, a bill to authorize the execution and delivery of deeds in the exercise of powers of sale in deeds of trust or mortgages if foreclosure sales have been conducted within the period allowed by the Statute of Limitations, with a favorable report.

H. B. 91, a bill to amend Section 65 (A) of Volume 3 of the Consolidated Statutes of 1924, to make said Section applicable to Caswell County, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Funderburk: S. B. 76, a bill to repeal Chapter 290 of the Public Local Laws of 1941, relating to justices of the peace in so far as that Act applies to Union County.

Referred to Committee on Justices of the Peace.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 90, a bill to amend Section 1008, Volume 3 of the Consolidated Statutes of 1924, to make said Section applicable to Caswell County.

Referred to Committee on Judiciary No. 2.

H. R. 186, a joint resolution commending the Attorney General and the Division of Legislative Drafting and Codification of Statutes for compiling the General Statutes of North Carolina.

Upon motion of Senator Pittman, the rules are suspended and the resolution is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.



## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 45, a bill to allow members of the State Highway Patrol to make election between membership in the Teachers and State Employees Retirement System and the Law Enforcement Officers' Benefit and Retirement Fund, upon third reading.

The bill passes its third reading by roll call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Leary, Matheny, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Sanders, Smith, Taylor, Wallace, Watkins, Whitaker, Wilson—41.

The bill is ordered sent to the House of Representatives.

S. B. 26, a bill authorizing cities and towns to establish capital reserve funds.

Senator Wade offers several amendments, held to be material, which are adopted, constituting the first reading of the bill and the bill is returned to the second reading roll call calendar.

Upon motion of Senator O'Berry, the bill and amendments are referred to Committee on Finance.

S. B. 43, a bill to create 21 Solicitorial Districts as authorized by the Constitutional Amendment adopted in November 1942.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 53, a bill to amend Section 1443 of the Consolidated Statutes of 1919, as amended, and to provide for sessions or terms of the Superior Court in cities other than the county seat which have a population of as many as 35,000 inhabitants.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 67, a bill to provide for the enrollment of S. B. 14, "Revising and Consolidating the Public and General Statutes of the State of North Carolina," to provide that said bill shall not be printed in the Volume of Public Laws of 1943 required to be printed under Section 6111 of the Consolidated Statutes, and to authorize the changing of references in said bill to "The North Carolina Code" to read "The General Statutes," and to provide for the codification and incorporation of the Public Laws enacted in 1943 in the final edition of the General Statutes.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 47, a bill to authorize sheriffs and other law enforcement officers to arrest persons charged with the commission of misdemeanors anywhere in the State under certain conditions.

Passes its second and third readings and is ordered sent to the House of Representatives.

## SPECIAL MESSAGE FROM THE GOVERNOR

The following message is received from His Excellency, Governor J. Melville Broughton:

Thursday, January 28, 1943.

*Mr. President, Mr. Speaker and Members of the General Assembly:*

Under the provisions of Resolution No. 31 passed by the General Assembly of 1941 the Governor was authorized and directed to appoint a commission for the purpose of studying the needs for the establishment of a training school for delinquent Negro girls in North Carolina and to make report of their findings to the Governor and the General Assembly. In pursuance of this resolution I appointed a commission composed of the following:

Dr. W. A. Stanbury, Chairman  
Bishop Edwin A. Penick  
Representative A. B. Stoney  
Representative Irving Carlyle  
Mrs. Lula Kelsey

This commission made a thorough inquiry and investigation and has filed its report, which I transmit herewith for the consideration of the General Assembly.

As will be noted from the report, the commission definitely recommends that a vocational training school for delinquent Negro girls be established, such school to be equipped to train delinquent Negro girls in domestic science, commercial laundry work, gardening, poultry raising and other trades and crafts, and other types of training deemed essential for purposes of rehabilitation and subsequent useful employment. I concur fully in these recommendations.

The General Assembly will take note of the fact that the State has heretofore by legislative enactment made provision for delinquent white boys, delinquent white girls and delinquent Negro boys. However, no provision has been made for delinquent Negro girls. The need for such provision is urgent and it is my opinion that we can no longer justify a lack of provision for this group of delinquents. I therefore strongly urge that this General Assembly make adequate provision for such vocational training school for delinquent Negro girls.

The message is referred to the Committee on Public Welfare and Appropriations.

Upon motion of Senator Johnson of Duplin, the Senate adjourns in memory of Lieutenant James S. Woolfolk, son of Mr. and Mrs. F. M. Woolfolk of Greenville, N. C., and nephew of our beloved and distinguished Senator J. C. Lanier of Pitt, who was killed in the crash of an Army plane at Moore Field, Texas, to meet tomorrow at 12 o'clock M.

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TWENTY-FIRST DAY

SENATE CHAMBER,  
Friday, January 29, 1943.

The Senate meets pursuant to adjournment, and in the absence of Lieutenant Governor R. L. Harris, is called to order by the President *pro tempore*, J. Hampton Price.



Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Evans, the courtesies of the lobby are extended to Miss Ethel Parker of Gates County.

Upon motion of Senator Johnson of Duplin, the courtesies of the lobby are extended to Mrs. Gordon Poindexter, wife of Senator Poindexter of Warren County.

Upon motion of Senator Horton, the courtesies of the lobby are extended to Miss Ruth Clark, granddaughter of Senator Clark of Edgecombe County.

Upon motion of Senator Eagles, the courtesies of the lobby are extended to Mrs. Mack M. Jernigan, wife of Representative Jernigan of Harnett County, and Mrs. L. M. Chaffin, wife of Senator Chaffin of Harnett County.

Upon motion of Senator Wallace, the courtesies of the lobby are extended to Mrs. B. C. Brock, wife of Senator Brock of Davie County.

Upon motion of Senator Johnson of Duplin, the courtesies of the lobby are extended to Mrs. P. P. McCain, wife of the Superintendent of the Sanatorium at Sanatorium, N. C.

Upon motion of Senator Gregory, the courtesies of the floor are extended to former Senator Walter H. Woodson.

Upon motion of Senator Clark, the courtesies of the floor are extended to former Lieutenant Governor Richard T. Fountain of Rocky Mount, N. C.

Upon motion of Senator O'Berry, the courtesies of the floor are extended to Colonel Kenneth Royall, former member of the Senate and now in the armed services.

Upon motion of Senator Johnson of Duplin, the courtesies of the lobby are extended to Mrs. Merrill Evans, wife of Senator Evans of Hertford County.

Upon motion of Senator Palmer, the courtesies of the lobby are extended to J. Lee White, Chairman of the Democratic Executive Committee and Chairman of the Board of County Commissioners of Cabarrus County.

Upon motion of Senator McKee, the courtesies of the lobby are extended to Lieutenant and Mrs. J. D. Miller, son of Mrs. J. A. Miller in the Engrossing Office of the Senate.

Upon motion of Senator Wilson, the courtesies of the lobby are extended to Mrs. L. S. Spurling, wife of Solicitor Spurling of the Sixteenth District, and her friend, Mrs. Clinton.

The President *pro tempore* extends the courtesies of the floor to Mrs. Irving E. Carlyle, wife of Senator Carlyle of Forsyth County.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Whitaker, for the Committee on Election Laws:

S. B. 42, a bill to amend Chapter 348 of the Public Laws of 1931, relating to the Election Laws, with an unfavorable report.

By Senator Palmer, for the Committee on Salaries and Fees:

S. B. 55, a bill to allow the arresting officers of Caldwell County a fee for the capture of illegally possessed or tax-paid liquor, with a favorable report.

S. B. 56, a bill regulating the salary of clerk of Superior Court of Forsyth County, to establish the right to fees and unallocated interest received by the clerk of Superior Court of Forsyth County, to repeal Chapter 491 of the Public Local Laws of 1935, and for other purposes, with a favorable report.

S. B. 62, a bill to fix the salary of the chairman and board of county commissioners of Beaufort County, with a favorable report.

H. B. 23, a bill to repeal Section 3 of Chapter 167, Public Local Laws of 1931, relating to the pay of the janitor of the court house of Madison County, with a favorable report.

H. B. 30, a bill to fix salaries for public officials and employees in Orange County, with a favorable report.

H. B. 59, a bill to fix the compensation of the members of the board of county commissioners, the members of the county board of education and warrant officers in Gates County, with a favorable report.

By Senator O'Berry, for the Committee on Finance:

S. B. 66, a bill to create a cemetery commission and to authorize the levying of a tax of 10 cents on the \$100 worth of property when approved by the qualified voters of the town of Weldon in Halifax County, with a favorable report.

H. B. 75, a bill to legalize and validate acts done and proceedings taken to provide for the issuance of certain bonds of the city of New Bern, and to provide for the issuance of such bonds, with a favorable report.

H. B. 92, a bill to legalize and validate acts done and proceedings taken to provide for the issuance of certain bonds of the town of Murfreesboro and to provide for the issuance of such bonds, and to legalize and validate outstanding bonds to be refunded by the issuance of said bonds, with a favorable report.

By Senator Barber, for the Committee on Courts and Judicial Districts:

S. B. 70, a bill to amend Chapter 692 of the Public Local Laws of 1913, as amended by Chapter 809 of the Public Local Laws of 1915 and Chapter 76 of the Public Local Laws of 1925, relating to the appointment of a recorder and prosecuting attorney of the recorder's court of Mount Airy Township, Surry County, with a favorable report.

By Senator Johnson of Duplin, for the Committee on Judiciary No. 1.



S. B. 73, a bill to amend Chapter 199 of the Private Laws of 1921, being "An act to amend the charter of the city of Concord, relating to the board of cemetery commissioners for the city of Concord, and the amount of funds to be used for the perpetual upkeep and management of Oakwood Cemetery," with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Farthing: S. B. 77, a bill to supplement the appropriation of the Adjutant General by providing funds for the administration of nine additional units of the North Carolina State Guard.

Referred to Committee on Military Affairs.

By Senator Farthing: S. B. 78, a bill to appropriate funds for the equipment of the North Carolina State Guard.

Referred to Committee on Military Affairs.

By Senator Farthing: S. B. 79, a bill to appropriate funds for a ten-day encampment of the North Carolina State Guard.

Referred to Committee on Military Affairs.

By Senator Hodges: S. B. 80, a bill to amend Chapter 121 of the Private Laws of 1931 as it relates to the library board of the city of Asheville.

Referred to Committee on Counties, Cities and Towns.

By Senator Eagles: S. B. 81, a bill to authorize the board of commissioners of Wilson County to appoint someone other than the register of deeds as clerk to the said board of commissioners.

Referred to Committee on Counties, Cities and Towns.

By Senator Cherry, by request: S. B. 82, a bill to amend Chapter 53 of the Public Laws of 1933 so as to extend provisions for free privilege licenses for the blind veterans of the armed forces to transact business in this State.

Referred to Committee on Finance.

By Senator Hudgins: S. B. 83, a bill to authorize the copying of the names of the registered electors in certain precincts within the corporate limits of the city of Greensboro from the general election registration books and to make such electors eligible to vote in Greensboro municipal primaries and elections.

Referred to Committee on Election Laws.

By Senators Mitchell and Wade: S. B. 84, a bill to amend Chapter 25 of the Public Laws of 1941 creating a Teachers and State Employees Retirement System in North Carolina, to permit the board of trustees to make regulations preventing injustices and inequalities not otherwise covered by the Act and to permit the re-employment of teachers and state employees who have been retired on account of age when needed during any emergency.

Referred to Committee on Judiciary No. 1.

By Senator Daniel: S. B. 85, a bill to amend ditch laws and provide for joint drainage of low lands.

Referred to Committee on Judiciary No. 1.

By Senator Palmer: S. B. 86, a bill to amend Chapter 179 of the Public Laws of 1933, regulating the practice of cosmetic art, to provide for the renewal of certificates of retired operators.

Referred to Committees on Judiciary No. 1.

By Senators Price, Carlyle, Eagles, Ballentine and Blythe: S. B. 87, a bill to amend the Machinery Act of 1939, with reference to the taxation of any new motor vehicles the sale of which is frozen in the hands of the dealers owning the same.

Referred to Committee on Finance.

By Senators Taylor, Cherry and Blythe: S. B. 88, a bill to provide education advantages for children of veterans of the present World War.

Referred to Committee on Military Affairs.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 45, a bill to amend the Constitution to make the Commissioner of Agriculture and the Commissioner of Labor constitutional officers and members of the Council of State.

Referred to Committee on Constitutional Amendments.

H. B. 93, a bill to regulate sales of real estate to make assets to pay debts of decedents in Gates County.

Referred to Committee on Judiciary No. 2.

H. B. 112, a bill to require the county commissioners of Graham County to sell county property only at public auction and after giving notice.

Referred to Committee on Counties, Cities and Towns.

H. B. 124, a bill to amend Section 903 of Chapter 158 of the Public Laws of North Carolina, Session 1939, being "An Act to raise revenue."

Referred to Committee on Finance.

H. B. 173, a bill to repeal Section 9 of Chapter 623 of the Public Local Laws of 1927, relative to the issuance of bonds of Randolph County.

Referred to Committee on Judiciary No. 2.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 4, a bill to reduce the corporate limits of the town of Rhodhiss and to amend the charter of said town, being Chapter 84 of the Private Laws of 1903, as amended by Chapter 104 of the Private Laws of 1905, upon second reading.

The bill passes its second reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk,



Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Mitchell, McKee, O'Berry, Pittman, Poindexter, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—43.

S. B. 34, a bill to amend Section 4410 of the Consolidated Statutes of 1919, as amended, to permit the tax collector and deputy tax collectors of Halifax County to carry arms when on official duty.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 48, a bill to amend Section 956 of the Consolidated Statutes, Volume 1, 1919, as amended by Chapter 156 of the Public Laws of 1931, relating to reports of the clerk of the Superior Court of Greene County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 57, a bill to amend Chapter 247 of the Public Local Laws of 1927, relating to the salary of the county treasurer of Guilford County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 58, a bill to amend Section 4 of Chapter 101 of the Public Local Laws of 1919, as amended, relating to the salary of the register of deeds of Guilford County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 63, a bill to amend Chapter 99 of the Public Local Laws of Session of 1941 as same relates to duties of the clerk of Superior Court of Rockingham County.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 22, a bill to enable the board of commissioners of Alleghany County to appoint tax collector to collect back taxes for the years of 1937, 1938, 1939, 1940, and 1941.

Passes its second and third readings and is ordered enrolled.

H. B. 50, a bill to increase the membership on the board of county commissioners of Gates County from three to five, to divide said county into five districts for the nomination of members of said board, and to fix their terms of office.

Passes its second and third readings and is ordered enrolled.

H. B. 53, a bill to prohibit the county commissioners of Currituck County from authorizing the use of any space on the court house lot for the purpose of erecting any building for private benefit.

Passes its second and third readings and is ordered enrolled.

H. B. 54, a bill to amend Chapter 201 of the Private Laws of 1905, relating to police officers of the town of Mount Olive.

Passes its second and third readings and is ordered enrolled.

H. B. 56, a bill to provide compensation for the mayor and the board of commissioners or aldermen of the town of Maiden, N. C.

Passes its second and third readings and is ordered enrolled.

H. B. 78, a bill to allow the deputy sheriffs of Caswell County a fee for the capture of illegally possessed or transported tax-paid liquor.

Passes its second and third readings and is ordered enrolled.

H. B. 83, a bill to repeal Chapter 525 of the Public Laws of 1933 with reference to the publication of the annual statement of claims and revenues in Hertford County.

Passes its second and third readings and is ordered enrolled.

H. B. 91, a bill to amend Section 65 (A) of Volume 3 of the Consolidated Statutes of 1924 to make said Section applicable to Caswell County.

Passes its second and third readings and is ordered enrolled.

S. B. 64, a bill to further amend Section 3346, Volume 1, of the Consolidated Statutes of 1919, as amended by Chapter 24 of the Public Laws of 1929.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 13, a bill to authorize the execution and delivery of deeds in the exercise of powers of sale in deeds of trust or mortgages if foreclosure sales have been conducted within the period allowed by the Statute of Limitations.

Passes its second and third readings and is ordered enrolled.

H. B. 94, a bill to prevent the perpetration of certain fraudulent practices by photographers within the State of North Carolina.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Larkins, the Senate adjourns to meet tomorrow morning at 10 o'clock, at which time only Public Local bills will be considered, and adjournment will be until Monday evening at 8 o'clock.

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## TWENTY-SECOND DAY

SENATE CHAMBER,

Saturday, January 30, 1943.

The Senate meets pursuant to adjournment, and in the absence of Lieutenant Governor R. L. Harris and President *pro tempore*, J. Hampton Price, the Senate is called to order by S. Ray Byerly, Principal Clerk, who calls Senator Ballentine to the Chair, who presides during the Session.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:



By Senator Farthing, for the Committee on Military Affairs:

S. B. 77, a bill to supplement the appropriation of the Adjutant General by providing funds for the administration of nine additional units of the North Carolina State Guard, with a favorable report.

Upon motion of Senator Cherry, the bill is re-referred to the Committee on Appropriations.

S. B. 78, a bill to appropriate funds for the equipment of the North Carolina State Guard, with a favorable report.

Upon motion of Senator Cherry, the bill is re-referred to the Committee on Appropriations.

S. B. 79, a bill to appropriate funds for a ten-day encampment of the North Carolina State Guard, with a favorable report.

Upon motion of Senator Cherry, the bill is re-referred to the Committee on Appropriations.

S. B. 88, a bill to provide educational advantages for children of veterans of the present World War, with a favorable report.

Upon motion of Senator Cherry, the bill is re-referred to the Committee on Appropriations.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 28, a bill to fix the term of grand juries in McDowell County.

Referred to Committee on Courts and Judicial Districts.

H. B. 60, a bill to amend Chapter 15 of the Public Laws of 1923, as amended by Chapter 92 of the Public Laws of 1933, with reference to terms for the grand jury in Gates County.

Referred to Committee on Courts and Judicial Districts.

H. B. 61, a bill to fix the terms of office of the judge and solicitor of the Gates County Recorder's Court, and to fix the compensation of the judge, the solicitor, the clerk and the sheriff for his attendance upon said court.

Referred to Committee on Courts and Judicial Districts.

H. B. 95, a bill authorizing the board of commissioners of the Rural Hall Sanitary District in Forsyth County to purchase and maintain necessary fire fighting equipment from funds derived from the sale of water in said District.

Referred to Committee on Counties, Cities and Towns.

H. B. 99, a bill to amend Chapter 13 of the Public Local Laws of 1935, pertaining to the appointment of a deputy sheriff in Fruitville Township in Currituck County.

Referred to Committee on Counties, Cities and Towns.

H. B. 110, a bill to authorize the post-mortem examination of certain feeble-minded and insane persons.

Referred to Committee on Public Health.

H. B. 117, a bill to amend Chapter 305 of the Public Laws of 1941 increasing the compensation of the Chairman of the county boards of elections so as to include Currituck County within the provisions of said Chapter.

Referred to Committee on Counties, Cities and Towns.

H. B. 119, a bill to authorize the board of county commissioners of Scotland County to levy special taxes for special purposes.

Referred to Committee on Finance.

H. B. 122, a bill to abolish jury trials in all courts in Vance County inferior to the Superior Court except courts of justices of the peace.

Referred to Committee on Courts and Judicial Districts.

H. B. 123, a bill to provide for the sharing of profits from the Alcoholic Beverage Control Stores in Vance County with the city of Henderson.

Referred to Committee on Finance.

H. B. 148, a bill to amend Chapter 60 of the Public Laws of 1941, relating to inferior courts of Richmond County.

Referred to Committee on Courts and Judicial Districts.

H. B. 150, a bill to require the sheriff, deputy sheriff, special deputy sheriff and all other law enforcement officers in Currituck County to account to the general fund of Currituck County for all fees collected by virtue of their office.

Referred to Committee on Finance.

H. B. 167, a bill to require the board of education of Currituck County to meet on the first Monday in each month in the court house at eleven o'clock Eastern Standard Time.

Referred to Committee on Education.

H. B. 170, a bill to provide for a more uniform representation of the people of Caswell County on the board of county commissioners.

Referred to Committee on Counties, Cities and Towns.

H. B. 179, a bill to regulate the terms of office of the board of county commissioners of Cumberland County by amending Section 1292 of the Consolidated Statutes of North Carolina and Chapter 589 of the Public Local Laws of 1923.

Referred to Committee on Counties, Cities and Towns.

H. B. 199, a bill to increase the compensation of members of the county board of elections to \$5.00 per day in order to place all members on an equal basis with the chairman of said board of elections while engaged in the discharge of their duties.

Referred to Committee on Finance.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 55, a bill to allow the arresting officers of Caldwell County a fee for the capture of illegally possessed or tax-paid liquor.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 56, a bill regulating the salary of clerk of Superior Court of Forsyth County, to establish the right to fees and unallocated interest received by the clerk of Superior Court of Forsyth County, to repeal Chapter 491 of the Public Local Laws of 1935, and for other purposes.

Passes its second and third readings and is ordered sent to the House of Representatives.



S. B. 62, a bill to fix the salary of the chairman and board of county commissioners of Beaufort County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 70, a bill to amend Chapter 692 of the Public Local Laws of 1913, as amended by Chapter 809 of the Public Local Laws of 1915 and Chapter 76 of the Public Local Laws of 1925, relating to the appointment of a recorder and prosecuting attorney of the recorder's court of Mount Airy Township, Surry County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 73, a bill to amend Chapter 199 of the Private Laws of 1921, being "An Act to amend the charter of the city of Concord, relating to the board of cemetery commissioners for the city of Concord, and the amount of funds to be used for the perpetual upkeep and management of Oakwood Cemetery."

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 23, a bill to repeal Section 3 of Chapter 167, Public Local Laws of 1931, relating to the pay of the janitor of the court house of Madison County.

Passes its second and third readings and is ordered enrolled.

H. B. 30, a bill to fix salaries for public officials and employees in Orange County.

Passes its second and third readings and is ordered enrolled.

H. B. 59, a bill to fix the compensation of the members of the board of county commissioners, the members of the county board of education and warrant officers in Gates County.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Bailey, the Senate adjourns to meet Monday evening at 8 o'clock.

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## TWENTY-THIRD DAY

SENATE CHAMBER,

Monday, February 1, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of Saturday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The President extends the courtesies of the lobby to Mrs. J. Hampton Price, wife of President *pro tempore*, J. Hampton Price of Rockingham County.

Upon motion of Senator Price, the courtesies of the floor are extended to Mrs. Helen Joyce Sparger, formerly of Stokes County who now resides in Raleigh.

Upon motion of Senator Price, the courtesies of the lobby are extended to Miss Frances Goldston, Mrs. Ann Morgan, Mrs. J. B. Roy and Miss Orene Fagg.

Upon motion of Senator Sanders, the courtesies of the lobby are extended to Captain J. B. Carlyle of Alamance County.

Upon motion of Senator Cherry, Miss Kitty Johnson, daughter of Senator Johnson of Halifax, and Miss Mildred Blackburn, are made honorary pages of the Senate.

Upon motion of Senator Chaffin, the courtesies of the lobby are extended to Mrs. Inez Harrington, Register of Deeds of Harnett County, and her friend, Mrs. Edwards.

Upon motion of Senator Farthing, the courtesies of the lobby are extended to Dr. B. B. Dougherty, President of Appalachian State Teachers College, Boone, N. C.

Upon motion of Senator Lanier, the courtesies of the lobby are extended to Lieutenant Evans, a graduate of West Point and now stationed in Texas.

#### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. R. 47, a joint resolution authorizing the members of the House and Senate Committees on Interstate Cooperation to attend the 6th General Assembly of the Council of State Governments in Baltimore, Maryland.

H. R. 186, a joint resolution commending the Attorney General and the Division of Legislative Drafting and Codification of Statutes for compiling the General Statutes of North Carolina.

S. B. 17, an act to validate transcripts of judgments certified in the name of deputy clerks of the Superior Court.

S. B. 22, an act to amend Section 5 of the charter of the town of Candor, as amended by Chapter 67 of the Private Laws of 1924, Extra Session, to validate all proceedings heretofore taken in relation to the issuance of \$10,000.00 water bonds of said town, and prescribing the vote required upon an ordinance to authorize bonds of said town for necessary expenses.

S. B. 25, an act to amend Subsection 2 of Section 2937 of the Consolidated Statutes, as amended, the same being a part of the Municipal Finance Act, 1921, and relating to the funding and refunding of indebtedness.

S. B. 50, an act authorizing counties, cities and towns to invest unused proceeds of the sale of bonds.

S. B. 67, an act to provide for the enrollment of S. B. 14, "Revising and Consolidating the Public and General Statutes of the State of North Carolina," to provide that said bill shall not be printed in the Volume of Public Laws of 1943 required to be printed under Section 6111 of the Consolidated Statutes, and to authorize the changing of references in said bill to "The North Carolina Code" to read "The General Statutes," and to provide for the codification and incorporation of the



Public Laws enacted in 1943 in the final edition of the General Statutes.

H. B. 13, an act to authorize the execution and delivery of deeds in the exercise of powers of sale in deeds of trust or mortgages if foreclosure sales have been conducted within the period allowed by the Statute of Limitations.

H. B. 22, an act to enable the board of commissioners of Alleghany County to appoint tax collector to collect back taxes for the years of 1937, 1938, 1939, 1940 and 1941.

H. B. 50, an act to increase the membership on the board of county commissioners of Gates County from three to five, to divide said county into five districts for the nomination of members of said board, and to fix their terms of office.

H. B. 53, an act to prohibit the county commissioners of Currituck County from authorizing the use of any space on the court house lot for the purpose of erecting any building for private benefit.

H. B. 54, an act to amend Chapter 201 of the Private Laws of 1905, relating to police officers of the town of Mount Olive.

H. B. 56, an act to provide compensation for the mayor and the board of commissioners or aldermen of the town of Maiden, North Carolina.

H. B. 78, an act to allow the deputy sheriffs of Caswell County a fee for the capture of illegally possessed or transported tax-paid liquor.

H. B. 83, an act to repeal Chapter 525 of the Public Laws of 1933, with reference to the publication of the annual statement of claims and revenues in Hertford County.

H. B. 91, an act to amend Section 65 (A) of Volume 3 of the Consolidated Statutes of 1924, to make said Section applicable to Caswell County.

H. B. 94, an act to prevent the perpetration of certain fraudulent practices by photographers within the State of North Carolina.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Palmer, for the Committee on Salaries and Fees:

S. B. 49, a bill to amend Section 6 of Chapter 622 of the Public Local Laws of 1937, to equalize the salaries of public officials of Rockingham County, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senators Larkins and Pittman: S. B. 89, a bill to amend Chapter 315 of the Public Laws of 1939, so as to provide for the purchase and distribution of the General Statutes.

Referred to Committee on Recodification.

By Senator Price: S. R. 90, a resolution authorizing the President

of the Senate to appoint a Calendar Committee to consider bills referred to said Committee.

Upon motion of Senator Price, the rules are suspended and the resolution is taken up for immediate consideration.

The resolution is unanimously adopted.

By Senator Farthing: S. B. 91, a bill to improve the Appalachian State Teachers College.

Referred to Committee on Education.

By Senator Bailey: S. B. 92, a bill to amend Chapter 237 of the Private Laws of North Carolina of 1907, nullifying the collection of taxes levied for the years 1930 to 1934, inclusive, for the Canton Graded School District.

Referred to Committee on Finance.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 182, a bill relating to the settlement of back taxes due the town of East Spencer in Rowan County.

Referred to Committee on Finance.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 4, a bill to reduce the corporate limits of the town of Rhodhiss and to amend the charter of said town, being Chapter 84 of the Private Laws of 1903, as amended by Chapter 104 of the Private Laws of 1905, upon third reading.

The bill passes its third reading by roll call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lannier, Larkins, Mitchell, McKee, O'Berry, Palmer, Pittman, Price, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—40.

The bill is ordered enrolled.

S. B. 66, a bill to create a cemetery commission and to authorize the levying of a tax of 10 cents on the \$100 worth of property when approved by the qualified voters of the town of Weldon, in Halifax County, upon second reading.

The bill passes its second reading by roll call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, La-



nier, Larkins, Mitchell, McKee, O'Berry, Palmer, Pittman, Prite, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—40.

H. B. 75, a bill to legalize and validate acts done and proceedings taken to provide for the issuance of certain bonds of the city of New Bern, and to provide for the issuance of such bonds, upon second reading.

The bill passes its second reading by roll call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lannier, Larkins, Mitchell, McKee, O'Berry, Palmer, Pittman, Price, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—40.

H. B. 92, a bill to legalize and validate acts done and proceedings taken to provide for the issuance of certain bonds of the town of Murfreesboro and to provide for the issuance of such bonds, and to legalize and validate outstanding bonds to be refunded by the issuance of said bonds, upon second reading.

The bill passes its second reading by roll call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lannier, Larkins, Mitchell, McKee, O'Berry, Palmer, Pittman, Price, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—40.

S. B. 59, a bill to amend Section 2 of Chapter 427 of the Public Local Laws of 1927, as amended, relating to the salary of the sheriff of Guilford County.

Upon motion of Senator Hudgins, action on the bill is deferred until Monday, February 8, 1943.

Upon motion of Senator Larkins, the Senate adjourns in memory of Lieutenant Robert Rhodes Hatch, son of Mrs. Alice Hatch and the late James Hatch of Goldsboro, N. C., who was killed in service at New Guinea on January 10, 1943, to meet tomorrow at 12 o'clock M.

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## TWENTY-FOURTH DAY

SENATE CHAMBER,  
Tuesday, February 2, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. W. H. Stansbury, Pastor of Central Methodist Church, Winston-Salem, N. C.

Senator Daniel for the Committee on Journal announces that he has

examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Watson, the courtesies of the galleries are extended to Lieutenant Caroline E. Greenleaf, Army Nurse Corps, 43rd General Hospital, Camp Livingston, Louisiana, and Lieutenant John B. Roesler of the Parachute Infantry, Fort Bragg, North Carolina.

Upon motion of Senator Hudgins, S. B. 59, a bill to amend Section 2 of Chapter 427 and 27 of the Public Local Laws of 1927, as amended, relating to the salary of the sheriff of Guilford County, is taken from the Calendar and re-referred to Committee on Counties, Cities and Towns.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar as follows:

By Senator Gregory, for the Committee on Library:

S. B. 24, a bill to increase the appropriation for public libraries in North Carolina, amending Chapter 93 of the Public Laws of 1941, with a favorable report.

Upon motion of Senator Gregory, the bill is re-referred to Committee on Appropriations.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Poindexter: S. B. 93, a bill to amend Consolidated Statutes, Section 5880, prescribing the qualifications of the Superintendent of the State School for the Blind and Deaf at Raleigh.

Referred to Committee on Institutions for the Blind.

By Senator Weathers: S. R. 94, a joint resolution memorializing the Congress of the United States to enact legislation relating to Daylight Saving or War Time.

Referred to Committee on Federal Relations.

By Senator Gregory: S. B. 95, a bill to create a board of naturopathic examiners and to regulate the practice of naturopathy and to provide penalties for violation of the Act, and to prohibit the practice of any other mode or system under the name of naturopathy.

Referred to Committee on Judiciary No. 1.

By Senator Lanier: S. B. 96, a bill to abolish the office of treasurer of Pitt County and repealing Chapter 179 of the Public Local Laws of 1937.

Upon motion of Senator Lanier, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Palmer: S. B. 97, a bill to authorize the establishment



of alcoholic beverage control stores in cities of the State having a population of 15,000, or more, when approved by a majority of the qualified voters of such cities.

Referred to Committee on Propositions and Grievances.

By Senator Sanders: S. B. 98, a bill to amend Chapter 145 of the Public Laws of 1931, as amended, relating to gasoline tax refunds.

Referred to Committee on Finance.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 71, a bill to extend the emergency power granted the State Highway and Public Works Commission by Chapter 4 of the Public Laws of 1941 for an additional two years.

Referred to Committee on Public Roads.

H. B. 146, a bill to relieve certain officials from liability on account of failure to tax and collect the \$1.00 additional cost item prior to May 15th, 1937, as provided in Chapter 349 of the Public Laws of 1937.

Referred to Committee on Finance.

H. B. 178, a bill to repeal Chapter 384 of the Public Laws of 1933, known as the State Housing Law.

Referred to Committee on Judiciary No. 1.

H. B. 231, a bill to authorize the admission of an alien wife of a citizen and resident North Carolinian to the State Hospitals.

Upon motion of Senator Clark, the rules are suspended and the bill is taken up for immediate consideration.

Passes its second and third readings and is ordered enrolled.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 75, a bill to legalize and validate acts done and proceedings taken to provide for the issuance of certain bonds of the city of New Bern, and to provide for the issuance of such bonds, upon third reading.

The bill passes its third reading by roll call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—47.

The bill is ordered enrolled.

H. B. 92, a bill to legalize and validate acts done and proceedings taken to provide for the issuance of certain bonds of the town of Murfreesboro and to provide for the issuance of such bonds, and to legalize and validate outstanding bonds to be refunded by the issuance of said bonds, upon third reading.

The bill passes its third reading by roll call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—47.

The bill is ordered enrolled.

S. B. 49, a bill to amend Section 6 of Chapter 622 of the Public Local Laws of 1937 to equalize the salaries of public officials of Rockingham County.

Passes its second and third readings and is ordered sent to the House of Representatives.

#### REPORT OF THE RULES COMMITTEE

Senator Price, for the Committee on Rules, submits the following report:

*Mr. President:*

Your Committee on Rules, having met on yesterday, do hereby recommend the creation of the office, for 1943 only, the office of Liaison Officer between the House and Senate and recommend a salary of six dollars (\$6.00) per day for this Session of the General Assembly and furthermore recommend that Honorable Walter P. Murphy be appointed as such officer.

We respectfully present this report for adoption by the Senate.

Upon motion of Senator Price, the report is unanimously adopted.

Upon motion of Senator Johnson of Halifax, the Senate adjourns to meet tomorrow at 12 o'clock M.

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#### TWENTY-FIFTH DAY

SENATE CHAMBER,  
Wednesday, February 3, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.



Upon motion of Senator Ballentine, the courtesies of the galleries are extended to the Public Speaking Class of Needham Broughton High School, Raleigh, N. C., and their teacher, Miss Hazel Griffin.

Upon motion of Senator Ballentine, the courtesies of the galleries are extended to the combined Glee Clubs of Hugh Morson and Needham Broughton High Schools, Raleigh, N. C., and their teacher, Dr. Smith.

Upon motion of Senator Wade, the courtesies of the lobby are extended to Lieutenant Reynolds of the WAAC, niece of Senator John-son of Duplin.

Upon motion of Senator Hodges, the courtesies of the floor are extended to former Senator James S. Howell of Buncombe County.

Upon motion of Senator McKee, the courtesies of the lobby are extended to Lieutenant Henry London and Lieutenant George London, sons of Mrs. Henry M. London of Raleigh, N. C.

The President extends the courtesies of the floor to former Representative Victor S. Bryant of Durham County.

Upon motion of Senator Evans, the courtesies of the floor are extended to former Senator and Representative J. A. Pritchett of Bertie County.

#### MESSAGE FROM THE GOVERNOR

The following message is received from His Excellency, Governor J. Melville Broughton:

Wednesday, February 3, 1943.

*To the Honorable Senate of North Carolina:*

Relating to the reappointment of Honorable Fred C. Hunter to fill a vacancy in the North Carolina Utilities Commission:

Under and by virtue of the authority vested in me by Chapter 97 of the Public Laws of 1941, relating among other things to the appointment of the members of the North Carolina Utilities Commission upon the expiration of each member's term of office, I hereby reappoint, subject to the confirmation of the Senate, the Honorable Fred C. Hunter as a member of the Utilities Commission for a term of six years, expiring February 1st, 1949; and I do hereby confer upon him all the rights, privileges, and powers necessary to the proper discharge of the duties of his appointment.

I hereby request that the Senate confirm this reappointment as required by the aforesaid Act.

This third day of February, 1943.

Upon motion of Senator Price, the Senate resolves itself into an Executive Session.

Senator Price moves that the appointee submitted in the Governor's message be confirmed for the position and for the term indicated.

Senator Cherry seconds the motion.

The nomination is confirmed for the position and the term indicated.

Upon motion of Senator Price, the Executive Session is dissolved and the Senate proceeds with the public business.

## ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 4, an act to reduce the corporate limits of the town of Rhodhiss and to amend the charter of said town, being Chapter 84 of the Private Laws of 1903, as amended by Chapter 104 of the Private Laws of 1905.

H. B. 23, an act to repeal Section 3 of Chapter 167, Public Local Laws of 1931, relating to the pay of the janitor of the court house of Madison County.

H. B. 30, an act to fix salaries for public officials and employees in Orange County.

H. B. 59, an act to fix the compensation of the members of the board of county commissioners, the members of the county board of education and warrant officers in Gates County.

H. B. 75, an act to legalize and validate acts done and proceedings taken to provide for the issuance of certain bonds of the city of New Bern, and to provide for the issuance of such bonds.

H. B. 92, an act to legalize and validate acts done and proceedings taken to provide for the issuance of certain bonds of the town of Murfreesboro and to provide for the issuance of such bonds, and to legalize and validate outstanding bonds to be refunded by the issuance of said bonds.

H. B. 231, an act to authorize the admission of an alien wife of a citizen and resident North Carolinian to the State hospitals.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator O'Berry, for the Committee on Finance:

S. B. 26, a bill authorizing cities and towns to establish capital reserve funds, with an unfavorable report as to bill, favorable as to Committee substitute.

S. B. 82, a bill to amend Chapter 53 of the Public Laws of 1933 so as to extend provisions for free privilege licenses for the blind veterans of the armed forces to transact business in this State, with a favorable report.

S. B. 87, a bill to amend the Machinery Act of 1939, with reference to the taxation of any new motor vehicles the sale of which is frozen in the hands of the dealers owning the same, with a favorable report.

S. B. 92, a bill to amend Chapter 237 of the Private Laws of North Carolina of 1907, nullifying the collection of taxes levied for the years 1930 to 1934, inclusive, for the Canton Graded School District, with a favorable report.

H. B. 119, a bill to authorize the board of county commissioners of Scotland County to levy special taxes for special purposes, with a favorable report.



H. B. 123, a bill to provide for the sharing of profits from the Alcoholic Beverage Control Stores in Vance County with the city of Henderson, with a favorable report.

H. B. 146, a bill to relieve certain officials from liability on account of failure to tax and collect the \$1.00 additional cost item prior to May 15, 1937, as provided in Chapter 349 of the Public Laws of 1937, with a favorable report.

H. B. 150, a bill to require the sheriff, deputy sheriff, special deputy sheriff and all other law enforcement officers in Currituck County to account to the general fund of Currituck County for all fees collected by virtue of their office, with a favorable report.

H. B. 182, a bill relating to the settlement of back taxes due the town of East Spencer in Rowan County, with a favorable report.

H. B. 199, a bill to increase the compensation of members of the county board of elections to \$5.00 per day in order to place all members on an equal basis with the chairman of said board of elections while engaged in the discharge of their duties, with a favorable report.

By Senator Watkins, for the Committee on Counties, Cities and Towns:

S. B. 80, a bill to amend Chapter 121 of the Private Laws of 1931 as it relates to the library board of the city of Asheville, with a favorable report.

S. B. 81, a bill to authorize the board of commissioners of Wilson County to appoint someone other than the register of deeds as clerk to the said board of commissioners, with a favorable report.

H. B. 95, a bill authorizing the board of commissioners of the Rural Hall Sanitary District in Forsyth County to purchase and maintain necessary fire fighting equipment from funds derived from the sale of water in said district, with a favorable report.

H. B. 99, a bill to amend Chapter 13 of the Public Local Laws of 1935, pertaining to the appointment of a deputy sheriff in Fruitville Township in Currituck County, with a favorable report.

H. B. 117, a bill to amend Chapter 305 of the Public Laws of 1941, increasing the compensation of the chairman of the county boards of elections so as to include Currituck County within the provisions of said Chapter, with a favorable report.

H. B. 179, a bill to regulate the terms of office of the board of county commissioners of Cumberland County by amending Section 1292 of the Consolidated Statutes of North Carolina and Chapter 589 of the Public Local Laws of 1923, with a favorable report.

H. B. 170, a bill to provide for a more uniform representation of the people of Caswell County on the board of county commissioners, with a favorable report.

By Senator Palmer, for the Committee on Salaries and Fees:

H. B. 10, a bill to appeal Chapter 316 of the Public Local Laws of 1941, relating to the salary of the deputy sheriff of Currituck County assigned to and residing in Crawford Township, with a favorable report.

H. B. 84, a bill requiring the sheriff, deputy sheriffs, special deputy sheriffs and all other law enforcement officers in Currituck County to

account for fees collected for the service of warrants and other process issued pursuant to a citation issued by a State Highway Patrolman or other officer connected with the State Highway Patrol, with a favorable report.

By Senator Horton, for the Committee on Education:

S. B. 54, a bill to amend the School Machinery Act of 1939, to provide for a nine-months school term, with a favorable report, as amended.

Upon motion of Senator Horton, the bill is re-referred to the Committee on Appropriations.

S. B. 69, a bill to amend Chapter 28 of the Public Local Laws of 1941, relative to increasing the standard of the public school system of Graham County, with a favorable report.

S. B. 91, a bill to improve the Appalachian State Teachers College, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Price: S. B. 99, a bill to amend Chapter 64 of the Public Laws of 1935, relating to ordinances for the public health of the State, to bring the city of Reidsville within the provisions of the Act.

Referred to Committee on Public Health.

By Senator Price: S. B. 100, a bill to amend Chapter 162 of the Public Local Laws of 1939, relative to the recorder's court of Reidsville Township.

Referred to Committee on Courts and Judicial Districts.

By Senator Price: S. B. 101, a bill authorizing and empowering the board of county commissioners of Rockingham County to employ and regulate the salaries of deputy clerks of the Superior Court and of other clerical employees.

Referred to Committee on Counties, Cities and Towns.

By Senator Price: S. B. 102, a bill to amend Section 956 of the Consolidated Statutes of North Carolina so as to regulate the filing of annual reports by the clerk of the Superior Court of Rockingham County.

Referred to Committee on Judiciary No. 2.

By Senator Lanier: S. B. 103, a bill to extend the corporate limits of the city of Greenville in Pitt County, North Carolina.

Referred to Committee on Finance.

By Senator Johnson of Halifax: S. B. 104, a bill to amend Section 10, Chapter 67 of the Public Local Laws of 1937, so that the city of Roanoke Rapids may levy a tax rate of 60 cents instead of 50 cents on the \$100 valuation on all taxable property in Roanoke Rapids.

Referred to Committee on Finance.

By Senators Carlyle, Sanders, Hodges and Hudgins: S. B. 105, a bill to amend Section 1421 of the Consolidated Statutes, relating to the authority of the Supreme Court to govern by rules of court the practice and procedure in the courts below the Supreme Court.

Referred to Committee on Judiciary No. 1.



By Senators Carlyle and Cherry: S. B. 106, a bill relative to assignment of accounts receivable and to make uniform the law with reference thereto.

Referred to Committee on Banks and Currency.

By Senator Carlyle: S. B. 107, a bill validating summons designated alias or euen pluries summons, though not actually such, on which judgments or other final decrees have been entered.

Referred to Committee on Judiciary No. 1.

By Senator Carlyle: S. B. 108, a bill authorizing the board of commissioners for the county of Forsyth to levy an additional tax for the support and maintenance of the Forsyth County Tubercular Hospital, and ratifying all such levies heretofore made.

Referred to Committee on Finance.

By Senator Cherry: S. B. 109, a bill to repeal Chapter 133 of the Public Local Laws for 1941, same being "An Act to extend the corporate limits of the city of Gastonia to take in the airport in West Gastonia."

Referred to Committee on Finance.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 87, a bill to provide for special judges in North Carolina.

Referred to Committee on Courts and Judicial Districts.

H. B. 111, a bill to amend Chapter 158 of the Public Laws of 1939, same being the Revenue Act of 1939, relating to the annual privilege or license tax on mutual burial associations.

Referred to Committee on Finance.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 66, a bill to create a cemetery commission and to authorize the levying of a tax of 10 cents on the \$100 worth of property when approved by the qualified voters of the town of Weldon, in Halifax County.

Upon motion of Senator Johnson of Halifax, action on the bill is deferred until Tuesday, February 9, 1943.

Senator Chaffin submits a resolution from the board of county commissioners of Harnett County pertaining to education which is referred to the Committee on Education.

Upon motion of Senator Larkins, the Senate adjourns to meet tomorrow at 12 o'clock M.

## TWENTY-SIXTH DAY

SENATE CHAMBER,

Thursday, February 4, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Hodges, the courtesies of the floor are extended to Judge Hubert C. Jarvis, former Representative of Buncombe County.

Upon motion of Senator Currie, the courtesies of the lobby are extended to W. A. Leland McKeithen, Prosecuting Attorney of Moore County.

Upon motion of Senator Matheny, the courtesies of the floor are extended to former Senator C. O. Ridings of Rutherford County, who is now Solicitor of the Eighteenth District.

The President extends the courtesies of the floor to former Senator William L. Foushee of Durham County.

Upon motion of Senator Hudgins, the courtesies of the floor are extended to former Senator J. Lee Wilson of Davidson County, who is now Solicitor of the Twelfth District.

The President extends the courtesies of the floor to former Senator Zeb Morgan of Richmond County.

The President extends the courtesies of the floor to former Senator Archie Gay of Northampton County.

Upon motion of Senator Ballentine, the courtesies of the galleries are extended to the Eighth Grade of Needham Broughton High School and their teacher.

Upon motion of Senator Larkins, the courtesies of the lobby are extended to Murray Whitaker and Mr. Swain of Jones County.

The President makes the following honorary pages of the Senate: William Harris Michie, John Chapman Michie, Wallace H. Harris, Jr., all of Roxboro, N. C., and Miss Joyce Sparger of Raleigh, N. C.

## ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 14, an act revising and consolidating the Public and General Statutes of the State of North Carolina.



## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator O'Berry, for the Committee on Finance:

S. B. 109, a bill to repeal Chapter 133 of the Public Local Laws for 1941, same being "An Act to extend the corporate limits of the city of Gastonia to take in the airport in West Gastonia," with a favorable report.

S. B. 103, a bill to extend the corporate limits of the city of Greenville in Pitt County, North Carolina, with a favorable report.

H. B. 124, a bill to amend Section 903 of Chapter 158 of the Public Laws of North Carolina, Session 1939, being "An Act to raise revenue," with an unfavorable report.

S. B. 98, a bill to amend Chapter 45 of the Public Laws of 1931, as amended, relating to gasoline tax refunds, with a favorable report.

S. B. 108, a bill authorizing the board of commissioners for the county of Forsyth to levy an additional tax for the support and maintenance of the Forsyth County Tubercular Hospital, and ratifying all such levies heretofore made, with a favorable report.

By Senator Johnson of Duplin, for the Committee on Judiciary No. 1.

S. B. 65, a bill to require payment of taxes as a condition precedent to the registration of deeds of real property, with an unfavorable report.

S. B. 6, a bill to reduce the punishment for capital felonies from death to life imprisonment when recommended by the jury, reported without prejudice.

H. B. 178, a bill to repeal Chapter 384 of the Public Laws of 1933 known as the State Housing Law, with a favorable report.

H. B. 88, a bill to amend Chapter 119 of the Public Laws of 1929, as amended, relating to the practice of barbering in the State of North Carolina so as to bring the funds collected under the provisions of said Act under the supervision of the Director of the Budget, with a favorable report.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Graham, by request: S. B. 110, a bill to amend Section 198 of the Consolidated Statutes of North Carolina, as amended, relating to the practice of law by Justices of the Peace, so as to allow attorneys in Lincoln County to serve as Justices.

Referred to Committee on Judiciary No. 1.

By Senator Graham, by request: S. B. 111, a bill to prohibit the sale of wine, beer, or other intoxicating beverage at any place in Lincoln County within one-half mile of a church or public school building.

Referred to Committee on Propositions and Grievances.

By Senator Funderburk: S. B. 112, a bill to authorize the boards of county commissioners of the several counties of the State to remit taxes for 1943 on all real property in their respective counties which the United States government took possession of for military purposes prior to January 1, 1943, pursuant to contracts executed prior to said January 1st, provided such real property shall be conveyed to the United States or to some agency thereof for military purposes before July 1, 1943.

Referred to Committee on Finance.

By Senator Hudgins: S. B. 113, a bill to provide for improved methods of accounting in offices of clerks of Superior Court and for monthly reporting of financial transactions by clerks of Superior Court.

Referred to Committee on Judiciary No. 2.

By Senator Brooks: S. B. 114, a bill amending Chapter 310, Section 1715, Public Laws, 1939, relating to advertisement of sale of tax liens.

Referred to Committee on Finance.

By Senator Brooks: S. B. 115, a bill to repeal Section 1343 of the Consolidated Statutes relating to the removal of indigent to county of settlement; maintenance; penalties.

Referred to Judiciary No. 1.

By Senator Brooks: S. B. 116, a bill to provide for the registration of pistols and similar firearms by the owners thereof in Durham County.

Referred to Committee on Judiciary No. 1.

By Senators Taylor, Sanders and Matheny: S. B. 117, a bill to simplify and expedite hearings before the North Carolina Utilities Commission and to provide for Judicial review of the rules, regulations and decisions of the Commission.

Referred to Committee on Public Utilities.

By Senator Larkins: S. R. 118, a resolution inviting General Julian C. Smith and Colonel D. L. S. Brewster to address the Senate.

Upon motion of Senator Larkins, the rules are suspended and the resolution is taken up for immediate consideration.

The resolution is unanimously adopted.

By Senator Hudgins: S. B. 119, a bill to regulate the pay and prescribe the duties of the sheriff and the deputy sheriffs of Guilford County.

Referred to Committee on Counties, Cities and Towns.

By Senator Larkins: S. B. 120, a bill to amend Section 16, Subsection (B) of Chapter 1, Public Laws of 1936, Extra Session, known as the Unemployment Compensation Law.

Referred to Committee on Unemployment Compensation.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:



H. B. 42, a bill regulating settlements for damages in personal injury cases.

Referred to Committee on Judiciary No. 2.

H. B. 184, a bill to fix the salaries of the judge, solicitor, and clerk of the recorder's court of Chowan County and to fix certain costs of the said court.

Referred to Committee on Salaries and Fees.

H. B. 200, a bill to amend Section 492 of the Consolidated Statutes relating to the defense of actions after judgment on substituted service by exempting actions for the foreclosure of county and municipal taxes from the operation of said section.

Referred to Committee on Finance.

H. B. 97, a bill to amend Section 3 of Chapter 409, Public Laws of 1937, known as the Maximum Hour Law, by changing the weekly hours for male employees from fifty-five hours per week to fifty-six hours per week.

Referred to Committee on Manufacturing, Labor and Commerce.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 92, a bill to amend Chapter 237 of the Private Laws of North Carolina of 1907 nullifying the collection of taxes levied for the years 1930 to 1934, inclusive, for the Canton Graded School District, upon second reading.

The bill passes its second reading by roll call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Cherry, Clark, Cole, Currie, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—45.

H. B. 119, a bill to authorize the board of county commissioners of Scotland County to levy special taxes for special purposes, upon second reading.

The bill passes its second reading by roll call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Cherry, Clark, Cole, Currie, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—45.

S. B. 69, a bill to amend Chapter 28 of the Public Local Laws of 1941, relative to increasing the standard of the public school system of Graham County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 80, a bill to amend Chapter 121 of the Private Laws of 1931 as it relates to the library board of the city of Asheville.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 81, a bill to authorize the board of commissioners of Wilson County to appoint someone other than the register of deeds as clerk to the board of commissioners.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 10, a bill to repeal Chapter 316 of the Public Local Laws of 1941 relating to the salary of the deputy sheriff of Currituck County assigned to and residing in Crawford Township.

Passes its second and third readings and is ordered enrolled.

H. B. 84, a bill requiring the sheriff, deputy sheriffs, special deputy sheriffs, and all other law enforcement officers in Currituck County to account for fees collected for the service of warrants and other process issued pursuant to a citation issued by a State Highway Patrolman or other officer connected with the State Highway Patrol.

Passes its second and third readings and is ordered enrolled.

H. B. 95, a bill authorizing the board of commissioners of the Rural Hall Sanitary District in Forsyth County to purchase and maintain necessary fire fighting equipment from funds derived from the sale of water in said district.

Passes its second and third readings and is ordered enrolled.

H. B. 99, a bill to amend Chapter 13 of the Public Local Laws of 1935 pertaining to the appointment of a deputy sheriff in Fruitville Township in Currituck County.

Passes its second and third readings and is ordered enrolled.

H. B. 117, a bill to amend Chapter 305 of the Public Laws of 1941 increasing the compensation of the chairman of the county boards of elections so as to include Currituck County within the provisions of said Chapter.

Passes its second and third readings and is ordered enrolled.

H. B. 123, a bill to provide for the sharing of profits from the alcoholic beverage control stores in Vance County with the city of Henderson.

Passes its second and third readings and is ordered enrolled.

H. B. 146, a bill to relieve certain officials from liability on account of failure to tax and collect the one dollar additional cost item prior to May 15th, 1937, as provided in Chapter 349 of the Public Laws of 1937.

Passes its second and third readings and is ordered enrolled.

H. B. 150, a bill to require the sheriff, deputy sheriff, special deputy sheriff and all other law enforcement officers in Currituck County to account to the general fund of Currituck County for all fees collected by virtue of their office.

Passes its second and third readings and is ordered enrolled.



H. B. 170, a bill to provide for a more uniform representation of the people of Caswell County on the board of county commissioners.

Passes its second and third readings and is ordered enrolled.

H. B. 179, a bill to regulate the terms of office of the board of county commissioners of Cumberland County by amending Section 1292 of the Consolidated Statutes of North Carolina and Chapter 589 of the Public Local Laws of 1923.

Passes its second and third readings and is ordered enrolled.

H. B. 182, a bill relating to the settlement of back taxes due the town of East Spencer in Rowan County.

Passes its second and third readings and is ordered enrolled.

H. B. 199, a bill to increase the compensation of members of the county board of elections to five dollars per day in order to place all members on an equal basis with the chairman of said board of elections while engaged in the discharge of their duties.

Upon motion of Senator Johnson of Duplin, the bill is re-referred to Committee on Election Laws.

S. B. 82, a bill to amend Chapter 53 of the Public Laws of 1933 so as to extend provisions for free privilege licenses for the blind veterans of the armed forces to transact business in this State, upon second reading.

The bill passes its second reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Chaffin, Cherry, Cole, Currie, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—43.

S. B. 87, a bill to amend the Machinery Act of 1939, with reference to the taxation of any new motor vehicles the sale of which is frozen in the hands of the dealers owning the same, upon second reading.

The bill passes its second reading by roll call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Chaffin, Cherry, Cole, Currie, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—44.

S. B. 26, a bill authorizing cities and towns to establish capital reserve funds.

The substitute offered by the Committee is adopted, constituting the first reading of the bill and it takes its place upon the second reading roll call Calendar.

S. B. 91, a bill to improve the Appalachian State Teachers College.

Passes its second and third readings and is ordered sent to the House of Representatives.

Pursuant to S. R. 118, inviting General Julian C. Smith and Colonel D. L. S. Brewster to address the Senate, the President appoints as a Committee to escort General Smith and Colonel Brewster to the Senate, Senators Larkins, Farthing, Cherry, Johnson of Halifax and Blythe.

Upon motion of Senator Larkins, the Senate adjourns to meet tomorrow at 12 o'clock M.

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### TWENTY-SEVENTH DAY

SENATE CHAMBER,  
Friday, February 5, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Major General Julian C. Smith and Colonel D. L. S. Brewster of the Marine Base Camp LeJeune at New River, North Carolina, appeared pursuant to Resolution duly adopted and addressed the Senate briefly concerning Camp LeJeune. They expressed appreciation of the officers and staff of the Camp for the kindly consideration and many courtesies extended the officers and men of Camp LeJeune by the citizens of North Carolina.

The President extends the courtesies of the floor to Honorable Joseph Daniels, former Ambassador to Mexico.

Upon motion of Senator Clark, the courtesies of the lobby are extended to Ex-Marine Officer James Caldwell of Asheboro, N. C.

Upon motion of Senator Ballentine, the courtesies of the galleries are extended to the seventh grade of Wiley School, Raleigh, N. C., and their teacher, Mrs. Jack Davis.

Upon motion of Senator Johnson of Halifax, the courtesies of the lobby are extended to Colonel Graham K. Hobbs, former member of the House of Representatives.

The President extended the courtesies of the floor to Honorable William M. Tuck, Lieutenant Governor of the Commonwealth of Virginia, who spoke to the Session briefly expressing greetings on behalf of the Commonwealth of Virginia.

Upon motion of Senator Clark, the courtesies of the lobby are extended to Lieutenant L. H. Fountain, former Reading Clerk of the Senate.

### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:



S. B. 34, an act to amend Section 4410 of the Consolidated Statutes of 1919, as amended, to permit the tax collector and deputy tax collectors of Halifax County to carry arms when on official duty.

H. B. 10, an act to repeal Chapter 316 of the Public Local Laws of 1941, relating to the salary of the deputy sheriff of Currituck County assigned to and residing in Crawford Township.

H. B. 84, an act requiring the sheriff, deputy sheriffs, special deputy sheriffs, and all other law enforcement officers in Currituck County to account for fees collected for the service of warrants and other process issued pursuant to a citation issued by a State Highway Patrolman or other officer connected with the State Highway Patrol.

H. B. 95, an act authorizing the board of commissioners of Rural Hall Sanitary District in Forsyth County to purchase and maintain necessary fire fighting equipment from funds derived from the sale of water in said district.

H. B. 99, an act to amend Chapter 13 of the Public Local Laws of 1935 pertaining to the appointment of a deputy sheriff in Fruitville Township in Currituck County.

H. B. 117, an act to amend Chapter 305 of the Public Laws of 1941 increasing the compensation of the chairman of the county boards of elections so as to include Currituck County within the provisions of said Chapter.

H. B. 123, an act to provide for the sharing of profits from the alcoholic beverage control stores in Vance County with the city of Henderson.

H. B. 146, an act to relieve certain officials from liability on account of failure to tax and collect the one dollar additional cost item prior to May 15, 1937, as provided in Chapter 349 of the Public Laws of 1937.

H. B. 150, an act to require the sheriff, deputy sheriff, special deputy sheriff and all other law enforcement officers in Currituck County to account to the general fund of Currituck County for all fees collected by virtue of their office.

H. B. 170, an act to provide for a more uniform representation of the people of Caswell County on the board of county commissioners.

H. B. 179, an act to regulate the terms of office of the board of county commissioners of Cumberland County by amending Section 1292 of the Consolidated Statutes of North Carolina and Chapter 589 of the Public Local Laws of 1923.

H. B. 182, an act relating to the settlement of back taxes due the town of East Spencer in Rowan County.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator O'Berry, for the Committee on Finance:

S. B. 4, a bill to relieve partnerships, firms and corporations from paying income tax on contributions to Red Cross, Boy Scout, religious

and other charitable associations by amending Subsection (9) of Section 322, and striking out Subsection (d) and Subsection (1) of Section 323 of the Revenue Act of 1939 as amended, and being Chapter 158 of the Public Laws of 1939, with an unfavorable report.

S. B. 23, a bill to amend the Revenue Act of 1939, providing that income taxes be payable in eight equal monthly installments without interest, with an unfavorable report.

S. B. 112, a bill to authorize the boards of county commissioners of the several counties of the State to remit taxes for 1943 on all real property in their respective counties which the United States government took possession of for military purposes prior to January 1, 1943, pursuant to contracts executed prior to said January 1st, provided such real property shall be conveyed to the United States or to some agency thereof for military purposes before July 1, 1943, with a favorable report.

S. B. 104, a bill to amend Section 10, Chapter 67 of the Public Local Laws of 1937 so that the city of Roanoke Rapids may levy a tax rate of 60 cents instead of 50 cents on the \$100 valuation on all taxable property in Roanoke Rapids, with a favorable report.

H. B. 111, a bill to amend Chapter 158 of the Public Laws of 1939, same being the Revenue Act of 1939, relating to the annual privilege or license tax on mutual burial associations, with a favorable report.

H. B. 200, a bill to amend Section 492 of the Consolidated Statutes, relating to the defense of actions after judgment on substituted service by exempting actions for the foreclosure of county and municipal taxes from the operation of said Section, with a favorable report.

By Senator Brooks, for the Committee on Constitutional Amendments:

H. B. 45, a bill to amend the Constitution to make the Commissioner of Agriculture and the Commissioner of Labor constitutional officers and members of the Council of State, with a favorable report.

By Senator Evans, for the Committee on Manufacturing, Labor and Commerce:

S. B. 75, a bill to amend Chapter 326 of the Public Laws of 1935, authorizing the Commissioner of Labor with the approval of the Director of the Budget to fix the salary of the chief boiler inspector, with a favorable report.

H. B. 97, a bill to amend Section 3 of Chapter 409 of the Public Laws of North Carolina of 1937 known as the "Maximum Hour Law," by changing the maximum weekly hours for male employees from 55 hours per week to 56 hours per week, with a favorable report.

By Senator Barber, for the Committee on Courts and Judicial Districts:

H. B. 28, a bill to fix the term of grand juries in McDowell County, with a favorable report.

S. B. 100, a bill to amend Chapter 162 of the Public Local Laws of 1939, relative to the recorder's court in Reidsville Township, with a favorable report.

H. B. 61, a bill to fix the terms of the judge and solicitor of the Gates County recorder's court, and to fix the compensation of the



judge, the solicitor, the clerk, and the sheriff for his attendance upon said court, with a favorable report.

H. B. 87, a bill to provide for special judges in North Carolina, with a favorable report.

H. B. 60, a bill to amend Chapter 15 of the Public Laws of 1923, as amended by Chapter 92 of the Public Laws of 1933, with reference to terms for the grand jury in Gates County, with a favorable report.

By Senator Whitaker, for the Committee on Election Laws:

S. B. 83, a bill to authorize the copying of the names of the registered electors in certain precincts within the corporate limits of the city of Greensboro from the general election registration books and to make such electors eligible to vote in Greensboro municipal primaries and elections, with a favorable report.

H. B. 6, a bill to amend the Fayetteville Primary Election Law, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senators McKee, Clark, O'Berry and Price: S. B. 121, a bill to amend Section 6597 of the Consolidated Statutes of North Carolina by rewriting said Section so as to change the manner of establishing the library commission of North Carolina.

Referred to Committee on Libraries.

By Senator Poindexter: S. B. 122, a bill to amend Chapter 201 of the Private Laws of 1915, being the charter of the town of Warrenton.

Referred to Committee on Counties, Cities and Towns.

By Senator Hodges: S. B. 123, a bill to amend Chapter 343 of the Public Laws of 1929, relating to domestic relations courts.

Referred to Committee on Courts and Judicial Districts.

By Senator Hodges: S. B. 124, a bill to amend Section 1664 of the Consolidated Statutes of 1919, relating to the custody of children in divorce.

Referred to Committee on Judiciary No. 2.

By Senator Wade, by request: S. B. 125, a bill to authorize and empower the acquisition by the State of North Carolina for park purposes of parts of certain lands located in Avery, Caldwell and Watauga Counties, known as Grandfather Mountain.

Referred to Committee on Conservation and Development.

By Senator Wade: S. B. 126, a bill to amend Section 3294 of the Consolidated Statutes of North Carolina for the year 1919, so as to add Commissioners of Oaths to officials before whom instruments may be proved or acknowledged.

Referred to Committee on Judiciary No. 1.

By Senator Bailey: S. B. 127, a bill to authorize the board of aldermen of the town of Canton, Haywood County, to regulate the prices charged by persons operating vehicles for hire in the town, except those under the jurisdiction of the Utilities Commission of North Carolina.

Referred to Committee on Finance.

By Senator Bailey: S. B. 128, a bill to amend Chapter 368 of the Public Local Laws of North Carolina of 1911 and Acts amendatory thereto, giving the Canton Police Court jurisdiction over property owned by the town of Canton in Haywood County and outside the corporate limits of the town of Canton.

Referred to Committee on Finance.

By Senators Clark, McKee and Johnson of Duplin: S. B. 129, a bill to amend Chapter 103 and Article 12 of Chapter 96 of the Consolidated Statutes of North Carolina relating to the management of the State Hospital at Goldsboro and the Caswell Training School at Kinston to provide for the appointment of a unified board of directors for such institutions and to provide for the appointment of a general superintendent of mental hygiene.

Referred to Committee on Mental Institutions.

By Senator Pittman: S. B. 130, a bill relating to publishing the Session Laws of the General Assembly by the Secretary of State.

Upon motion of Senator Pittman, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senators Taylor and Funderburk: S. B. 131, a bill to change the name of "Town of Albemarle," set forth in Chapter 384 of Private Laws of 1911, to "City of Albemarle," and to provide for the compensation of the commissioners of said city.

Referred to Committee on Counties, Cities and Towns.

By Senator O'Berry: S. B. 132, a bill authorizing counties to establish capital reserve funds.

Referred to Committee on Finance.

By Senator Blythe: S. B. 133, a bill relating to the term of office of the treasurer of Mecklenburg County, and the salaries of the register of deeds, chairman of the board of county commissioners, and the collector of revenue of Mecklenburg County.

Referred to Committee on Finance.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 14, a bill to repeal Chapter 101 of the Public Local Laws of 1939, the same being "An Act to require the sheriff of Currituck County to appoint a deputy sheriff for Moyock township in said County."

Referred to Committee on Counties, Cities and Towns.

H. B. 89, a bill to fix the salary of the mayor of the town of Windsor.

Referred to Committee on Salaries and Fees.

H. B. 113, a bill to amend Chapter 287 of the Public Laws of 1939, as amended, relating to the elimination of unfit dwellings in cities and towns of more than five thousand population.

Referred to Committee on Public Health.



H. B. 120, a bill to regulate the compensation of members of the county board of health in Cumberland County.

Referred to Committee on Salaries and Fees.

H. B. 128, a bill to abolish the office of tax collector in Guilford County, and to consolidate the duties of tax collector and tax supervisor.

Referred to Committee on Counties, Cities and Towns.

H. B. 136, a bill to amend Chapter 115 of the Public Local Laws of 1941, relating to the transfer of the duties of tax collector to the county accountant of Swain County.

Referred to Committee on Counties, Cities and Towns.

H. B. 137, a bill to amend Chapter 283 of the Public Local Laws of 1941, relating to the per diem compensation of the chairman of the board of county commissioners of Swain County.

Referred to Committee on Salaries and Fees.

H. B. 151, a bill to authorize and empower the commissioners of the town of Tryon to locate and determine the street line along Trade Street and the street leading to Godshaw Hill, in the town of Tryon, in front of the property of W. B. Hodges, known as the Gulf Filling Station property, and to quitclaim title to any part of said property beyond the street line as so determined.

Referred to Committee on Counties, Cities and Towns.

H. B. 165, a bill to allow the deputy sheriffs and constables of Davie County a fee for the capture of illegally possessed or transported tax-paid liquor.

Referred to Committee on Counties, Cities and Towns.

H. B. 169, a bill to repeal Chapter 237 of the Public Local Laws of 1935, relating to the election of county commissioners in Hyde County, and to require such commissioners in Hyde County to be elected pursuant to the general law.

Referred to Committee on Counties, Cities and Towns.

H. B. 174, a bill to amend Sections 6785 through 6790 of Article XIII of the Consolidated Statutes, as amended, regulating the procuring and distribution of dead bodies for the promotion of medical science.

Referred to Committee on Public Health.

H. B. 176, a bill to amend Chapter 40 of the Public Local Laws of 1929, relating to the laws of landlords and tenants, so that the county of Hoke shall be included thereunder.

Referred to Committee on Judiciary No. 2.

H. B. 177, a bill to amend Section 2366 of the Consolidated Statutes of North Carolina, the same being a part of the laws governing landlords, and tenants, so as to include the county of Hoke thereunder.

Referred to Committee on Judiciary No. 2.

H. B. 185, a bill to allow the board of county commissioners of Onslow County, in its discretion to revalue and readjust all real estate and personal property values during the year 1943.

Referred to Committee on Finance.

H. B. 187, a bill to fix the compensation of the chief deputy sheriff of Yancey County.

Referred to Committee on Salaries and Fees.

H. B. 190, a bill to amend Section 1293 of Volume 1, Consolidated Statutes of 1919, relative to the number of commissioners of Lee County.

Referred to Committee on Counties, Cities and Towns.

H. B. 204, a bill to amend the charter of the city of Hickory so as to grant persons living without the corporate limits but within the boundaries of the Hickory city administrative school unit the right to vote for the election of school trustees.

Referred to Committee on Education.

H. B. 205, a bill to repeal the charter of the town of Nebo, in McDowell County, North Carolina, and to provide machinery for the liquidation and disposition of the assets of said town.

Referred to Committee on Counties, Cities and Towns.

H. B. 208, a bill to amend Chapter 141 of the Public Local Laws of 1925, relating to the appointment of a tax supervisor and purchasing agent of Surry County.

Referred to Committee on Counties, Cities and Towns.

H. B. 209, a bill to provide for registration of pistols and similar firearms by owners thereof in Person County.

Referred to Committee on Propositions and Grievances.

H. B. 215, a bill to amend Chapter 222 of the Private Laws of 1893, relating to the charter of the town of Grimesland in Pitt County.

Referred to Committee on Counties, Cities and Towns.

H. B. 235, a bill to amend Chapter 56 of the Public Local Laws of 1939 so as to authorize the county commissioners of Wayne County to turn into the general fund of the county all taxes collected for the year 1935 and all prior years.

Referred to Committee on Finance.

H. B. 259, a bill to amend Consolidated Statutes 65 (a), Volume 3, 1924, as amended, so as to include Yancey County under the provisions thereof.

Referred to Committee on Counties, Cities and Towns.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 92, a bill to amend Chapter 237 of the Private Laws of North Carolina of 1907, nullifying the collection of taxes levied for the years 1930 to 1934, inclusive, for the Canton Graded School District, upon third reading.

The bill passes its third reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of



Halifax, Lanier, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—43.

The bill is ordered sent to the House of Representatives.

H. B. 119, a bill to authorize the board of county commissioners of Scotland County to levy special taxes for special purposes, upon third reading.

The bill passes its third reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—43.

The bill is ordered enrolled.

S. B. 103, a bill to extend the corporate limits of the city of Greenville in Pitt County, North Carolina, upon second reading.

The bill passes its second reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Benton, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Pittman, Poindexter, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—43.

S. B. 108, a bill authorizing the board of commissioners for the county of Forsyth to levy an additional tax for the support and maintenance of the Forsyth County Tubercular Hospital, and ratifying all such levies heretofore made, upon second reading.

The bill passes its second reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Benton, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Pittman, Poindexter, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—43.

S. B. 109, a bill to repeal Chapter 133 of the Public Local Laws for 1941 same being "An Act to extend the corporate limits of the city of Gastonia to take in the airport in West Gastonia," upon second reading.

The bill passes its second reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Benton, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham,

Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Pittman, Poindexter, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—43.

S. B. 82, a bill to amend Chapter 53 of the Public Laws of 1933 so as to extend provisions for free privilege licenses for the blind veterans of the armed forces to transact business in this State, upon third reading.

The bill passes its third reading by roll call vote, ayes 43, noes 0 as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Pittman, Poindexter, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—43.

The bill is ordered sent to the House of Representatives.

S. B. 87, a bill to amend the Machinery Act of 1939, with reference to the taxation of any new motor vehicles the sale of which is frozen in the hands of the dealers owning the same, upon third reading.

The bill passes its third reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Benton, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Pittman, Poindexter, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—43.

The bill is ordered sent to the House of Representatives.

S. B. 26, a bill authorizing cities and towns to establish capital reserve funds, upon second reading.

The bill passes its second reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Currie, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—43.

S. B. 98, a bill to amend Chapter 145 of the Public Laws of 1941, as amended, relating to gasoline tax refunds, upon second reading.

The bill passes its second reading by roll call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Clark, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Barber, Barker, Blythe, Brock, Brooks, Brown, Chaffin, Cherry, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Halifax,



Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—44.

H. B. 88, a bill to amend Chapter 119 of the Public Laws of 1929, as amended, relating to the practice of barbering in the State of North Carolina, so as to bring the funds collected under the provisions of said Act under the supervision of the Director of the Budget.

Passes its second and third readings and is ordered enrolled.

H. B. 178, a bill to repeal Chapter 384 of the Public Laws of 1933 known as the State Housing Law.

Passes its second and third reading and is ordered enrolled.

S. B. 6, a bill to reduce the punishment for capital felonies from death to life imprisonment when recommended by the jury.

Upon motion of Senator Leary, action on the bill is deferred until Tuesday, February 9, 1943.

Upon motion of Senator Larkins, the Senate adjourns to meet tomorrow morning at 10 o'clock, at which time only Public Local Bills will be considered, and adjournment will be until Monday evening at 8 o'clock.

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## TWENTY-EIGHTH DAY

SENATE CHAMBER,  
Saturday, February 6, 1943.

The Senate meets pursuant to adjournment, and in the absence of the Lieutenant Governor R. L. Harris and President *pro tempore* J. Hampton Price, the Principal Clerk S. Ray Byerly calls Senator R. G. Cherry to the Chair who calls the Senate to order and presides during the Session.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Ballentine for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 31, a bill to require the board of education of Currituck County to publish the minutes of its meetings in some newspaper circulated in the County.

Referred to Committee on Education.

H. B. 32, a bill to require the board of county commissioners of Currituck County to publish the minutes of its meetings in some newspaper circulated in the County.

Referred to Committee on Judiciary No. 2.

H. B. 38, a bill to repeal Section 4436 of the Consolidated Statutes of North Carolina, relating to the seizure and disposition of property exhibited for the purpose of alluring persons to bet on any game.

Referred to Committee on Judiciary No. 1.

H. B. 39, a bill to amend Section 4458 of the Consolidated Statutes, so as to regulate the punishment for public drunkenness in Mecklenburg County.

Referred to Committee on Judiciary No. 2.

H. B. 63, a bill to authorize county commissioners to provide compensation for members of rationing boards while in the actual performance of their duties.

Referred to Committee on Judiciary No. 2.

H. B. 114, a bill to declare valid and legal the creation, establishment and organization of housing authorities, and all bonds, notes, agreements and undertakings of such housing authorities, and all proceedings, acts and things heretofore undertaken or done with reference thereto.

Referred to Committee on Judiciary No. 2.

H. B. 115, a bill to amend Chapter 63 of the Public Laws of 1941 to extend the time in which the development of projects may be initiated thereunder.

Referred to Committee on Judiciary No. 1.

H. B. 129, a bill to permit the board of commissioners of Guilford County to pay the premiums on the bonds of deputy sheriffs and constables.

Referred to Committee on Judiciary No. 1.

H. B. 142, a bill to repeal Chapter 430 of the Public Local Laws of 1937 in order that the nomination and election of members of the Burke County Board of Education may be again placed under the operation of the general statutes of North Carolina governing the nomination and election of county boards of education.

Referred to Committee on Education.

H. B. 188, a bill to appoint trustees of the Tryon-Saluda Administrative School Unit.

Referred to Committee on Education.

H. B. 197, a bill to provide for the election of a tax collector in Brunswick County, to fix the salary therefor, and to provide for assistants.

Referred to Committee on Salaries and Fees.

H. B. 210, a bill to repeal Chapter 34 of the Public Laws of 1941, relating only to the method of electing county commissioners in Person County.

Referred to Committee on Counties, Cities and Towns.

H. B. 211, a bill to amend Chapter 295, Private Laws, 1903, as amended by Chapter 264, Private Laws of 1915 as amended by Chapter 200, Private Laws of 1939, relative to the term of office of the mayor and commissioners of the town of Hertford in Perquimans County, North Carolina.

Referred to Committee on Counties, Cities and Towns.



H. B. 216, a bill to increase the compensation of judges of elections in Currituck County for their services on the day of a primary or election from the sum of \$4.00 to \$5.00 in order to place the compensation of said judges of election on the same basis as registrars.

Referred to Committee on Election Laws.

H. B. 229, a bill to fix the salaries of the mayor and commissioners of the town of Aulander.

Referred to Committee on Counties, Cities and Towns.

H. B. 238, a bill to amend Chapter 87 of the Public Local Laws of 1935, relating to the service of grand jurors in Franklin County.

Referred to Committee on Judiciary No. 2.

H. B. 241, a bill to provide for the election of a county surveyor for Robeson County quadrennially.

Referred to Committee on Judiciary No. 1.

H. B. 263, a bill to repeal Chapter 183, Public Local Laws of 1941, and to re-enact Chapter 460 Public Local Laws of 1933, to provide for the nomination and election of county commissioners of Pasquotank County by the qualified voters of the entire county.

Referred to Committee on Election Laws.

H. B. 265, a bill to amend Section 2366 of the Consolidated Statutes, as amended, providing for dispossession of tenants for refusal to perform contracts in certain counties, to include in counties therein listed the county of Brunswick.

Referred to Committee on Judiciary No. 1.

H. B. 266, a bill creating five districts for the nomination of members of the board of education of Moore County.

Referred to Committee on Education.

H. B. 273, a bill to authorize the employment of a full or part-time chairman of the board of county commissioners of Bladen County.

Referred to Committee on Counties, Cities and Towns.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 83, a bill to authorize the copying of the names of the registered electors in certain precincts within the corporate limits of the city of Greensboro from the general election registration books and to make such electors eligible to vote in Greensboro municipal primaries and elections.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 100, a bill to amend Chapter 162 of the Public Local Laws of 1939, relative to the recorder's court of Reidsville Township.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 6, a bill to amend the Fayetteville Primary Election Law.

Passes its second and third readings and is ordered enrolled.

H. B. 28, a bill to fix the term of grand juries in McDowell County.

Passes its second and third readings and is ordered enrolled.

H. B. 60, a bill to amend Chapter 15 of the Public Laws of 1923, as amended by Chapter 92 of the Public Laws of 1933, with reference to terms for the Grand Jury in Gates County.

Passes its second and third readings and is ordered enrolled.

H. B. 61, a bill to fix the terms of office of the judge and solicitor of the Gates County Recorder's Court, and to fix the compensation of the judge, solicitor, the clerk and the sheriff for his attendance upon said court.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Graham, the Senate adjourns to meet Monday night at 8 o'clock.

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## TWENTY-NINTH DAY

SENATE CHAMBER,  
Monday, February 8, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Chaffin for the Committee on Journal announces that he has examined the Journal of Saturday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Price, the courtesies of the floor are extended to former Senator Thomas J. Gold of Guilford County.

Upon motion of Senator Sanders, the courtesies of the floor are extended to former Senators L. L. Gravely of Nash County and Ryan McBryde of Hoke County.

Upon motion of Senator Horton, the courtesies of the floor are extended to former Representative Laurie McEachern of Hoke County.

Upon motion of Senator Evans, the courtesies of the lobby are extended to W. W. Graham of Northampton County.

The President extends the courtesies of the floor to former Senator Zeb Vance Norman of Washington County.

Upon motion of Senator McKee, the courtesies of the galleries are extended to former Representative Dan K. Moore and Mrs. Moore of Jackson County.

Upon motion of Senator Chaffin, the courtesies of the floor are extended to former Senator P. A. Lee of Harnett County.

Upon motion of Senator Johnson of Halifax, the courtesies of the floor are extended to former Senator Elbert S. Peele of Martin County.

Upon motion of Senator Larkins, the courtesies of the floor are extended to former Senator J. Abner Barker of Sampson County, now Solicitor of the Sixth Judicial District of North Carolina.

Upon motion of Senator Lanier, the courtesies of the lobby are extended to John Vinson of Pitt County.

Upon motion of Senator Chaffin, the courtesies of the galleries are extended to J. B. Ennis, chairman of the board of county commis-



sioners of Harnett County, R. L. Pate and Ferd Jackson, members of the board of county commissioners of Harnett County, and to A. C. Strickland, county attorney of Harnett County.

Upon motion of Senator Hudgins, the courtesies of the floor are extended to former Representative Thomas E. Hoyle of Guilford County.

Upon motion of Senator Horton, the courtesies of the floor are extended to former Senator and Representative Crayon Efird of Stanly County.

#### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled and they are duly ratified and sent to the office of the Secretary of State:

H. B. 61, an act to fix the terms of office of the judge and solicitor of the Gates County Recorder's Court, and to fix the compensation of the judge, the solicitor, the clerk and the sheriff for his attendance upon said court.

H. B. 88, an act to amend Chapter 119 of the Public Laws of 1929, as amended, relating to the practice of barbering in the State of North Carolina, so as to bring the funds collected under the provisions of said Act under the supervision of the Director of the Budget.

H. B. 119, an act to authorize the board of county commissioners of Scotland County to levy special taxes for special purposes.

H. B. 178, an act to repeal Chapter 384 of the Public Laws of 1933, known as the State Housing Law.

S. B. 57, an act to amend Chapter 247 of the Public Local Laws of 1927, relating to the salary of the county treasurer of Guilford County.

S. B. 58, an act to amend Section 4 of Chapter 101 of the Public Local Laws of 1919, as amended, relating to the salary of the register of deeds of Guilford County.

S. B. 130, an act relating to publishing the Session Laws of the General Assembly by the Secretary of State.

H. B. 6, an act to amend the Fayetteville Primary Election Law.

H. B. 28, an act to fix the term of grand juries in McDowell County.

H. B. 60, an act to amend Chapter 15 of the Public Laws of 1923, as amended by Chapter 92 of the Public Laws of 1933, with reference to terms for the grand jury in Gates County.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senators Pittman and Larkins, for the Committee on Recodification:

S. B. 89, a bill to amend Chapter 315 of the Public Laws of 1939, so as to provide for the purchase and distribution of the General Statutes, with a favorable report, as amended.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Brooks: S. B. 134, a bill authorizing individuals to deduct from their State income taxes Federal income taxes by amending Subsection 4 of Section 322 of the Revenue Act of 1939, as amended, and being Chapter 158 of the Public Laws of 1939.

Referred to Committee on Finance.

By Senator Whitaker: S. B. 135, a bill to fix the term of office of the board of county commissioners of Graham County.

Referred to Committee on Counties, Cities and Towns.

By Senator Price: S. B. 136, a bill to prescribe the fees for the office of clerk of the Superior Court of Rockingham County.

Referred to Committee on Salaries and Fees.

By Senator O'Berry: S. B. 137, a bill to authorize the issuance of notes of the State for the purpose of paying appropriations.

Referred to Committee on Finance.

By Senator Cherry: S. B. 138, a bill to provide for exchanges of bonds of State which are held in the sinking funds under the control of the Sinking Fund Commission, and for the cancellation of certain highway bonds held in the sinking funds for such bonds.

Referred to Committee on Public Roads.

By Senator Cherry: S. B. 139, a bill to authorize the issuance of highway bonds of the State.

Referred to Committee on Public Roads.

By Senator Weathers: S. B. 140, a bill to repeal Chapter 43 of the Private Laws of the State of North Carolina, 1885, this being "An Act to repeal the charter of the town of Mooresboro."

Referred to Committee on Counties, Cities and Towns.

By Senator Bailey: S. B. 141, a bill to amend Chapter 376 of the Private Laws of 1941 of North Carolina, changing the corporate limits of the town of Canton.

Referred to Committee on Counties, Cities and Towns.

By Senator Lanier: S. R. 142, a joint resolution urging the Federal Authorities to apply price ceilings to the flue-cured tobacco crop by a method which will not destroy the auction system of selling tobacco.

Upon motion of Senator Lanier, the rules are suspended and the resolution is taken up for immediate consideration.

Passes its second and third readings and is ordered sent to the House of Representatives by special messenger.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 276, a bill to amend Chapter 135, Public Laws of 1941, relative to allotting a portion of the alcoholic beverage fund to Wilmington port development.

Referred to Committee on Propositions and Grievances.



H. B. 283, a bill amending Chapter 469, Public Local Laws of North Carolina, Session of 1937, relative to the disposition of the proceeds derived from ABC stores of the County of Durham.

Referred to Committee on Propositions and Grievances.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 109, a bill to repeal Chapter 133 of the Public Local Laws for 1941, same being "An Act to extend the corporate limits of the city of Gastonia to take in the airport in West Gastonia," upon third reading.

The bill passes its third reading by roll call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cole, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Weathers, Whitaker, Wilson—40.

The bill is ordered sent to the House of Representatives.

S. B. 108, a bill authorizing the board of commissioners for the county of Forsyth to levy an additional tax for the support and maintenance of the Forsyth County Tubercular Hospital, and ratifying all such levies heretofore made, upon third reading.

The bill passes its third reading by roll call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cole, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Weathers, Whitaker, Wilson—40.

The bill is ordered sent to the House of Representatives.

S. B. 103, a bill to extend the corporate limits of the city of Greenville in Pitt County, North Carolina, upon third reading.

The bill passes its third reading by roll call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cole, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Weathers, Whitaker, Wilson—40.

The bill is ordered sent to the House of Representatives.

S. B. 104, a bill to amend Section 10, Chapter 67 of the Public Local Laws of 1937, so that the city of Roanoke Rapids may levy a tax rate of 60 cents instead of 50 cents on the \$100 valuation on all taxable property in Roanoke Rapids, upon second reading.

The bill passes its second reading by roll call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cole, Daniel, Eagles, Evans, Farthing, Funderburk, Graham Gregory, Harrelson, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Weathers, Whitaker, Wilson—40.

S. B. 26, a bill authorizing cities and towns to establish capital reserve funds, upon third reading.

The bill passes its third reading by roll call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Smith, Taylor, Wade, Wallace, Weathers, Whitaker, Wilson—39.

The bill is ordered sent to the House of Representatives.

S. B. 98, a bill to amend Chapter 145 of the Public Laws of 1931, as amended, relating to gasoline tax refunds, upon third reading.

The bill passes its third reading by roll call vote, ayes 38, noes 4, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Brock, Brooks, Brown, Carlyle, Chaffin, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Weathers, Whitaker, Wilson—38.

Those voting in the negative are: Senators Blythe, Funderburk, Larkins, Matheny—4.

The bill is ordered sent to the House of Representatives.

H. B. 45, a bill to amend the Constitution to make the Commissioner of Agriculture and the Commissioner of Labor constitutional officers and members of the Council of State, upon second reading.

The bill passes its second reading by roll call vote, ayes 41, noes 1, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Horton, Hudgins, Johnson of Halifax, Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Weathers, Whitaker, Wilson—41.



Those voting in the negative are: Senator Barber—1.

The bill passes its third reading by roll call vote, ayes 41, noes 1, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Horton, Hudgins, Johnson of Halifax, Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Weathers, Whitaker, Wilson—41.

Those voting in the negative are: Senator Barber—1.

The bill is ordered enrolled.

H. B. 111, a bill to amend Chapter 158 of the Public Laws of 1939, same being the Revenue Act of 1939, relating to the annual privilege or license tax on mutual burial associations, upon second reading.

The bill passes its second reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Weathers, Whitaker, Wilson—43.

S. B. 75, a bill to amend Chapter 326 of the Public Laws of 1935, authorizing the Commissioner of Labor with the approval of the Director of the Budget to fix the salary of the chief boiler inspector.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 112, a bill to authorize the boards of county commissioners of the several counties of the State to remit taxes for 1943 on all real property in their respective counties which the United States Government took possession of for military purposes prior to January 1, 1943, pursuant to contracts executed prior to said January 1st, provided such real property shall be conveyed to the United States or to some agency thereof for military purposes before July 1, 1943.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 87, a bill to provide for special judges in North Carolina.

Passes its second and third readings and is ordered enrolled.

H. B. 97, a bill to amend Section 3 of Chapter 409 of the Public Laws of North Carolina of 1937, known as the "Maximum Hour Law," by changing the maximum weekly hours for male employees from 55 hours per week to 56 hours per week.

The bill passes its second reading.

Upon objection of Senator Evans to its third reading, the bill remains upon the Calendar.

H. B. 200, a bill to amend Section 492 of the Consolidated Statutes, relating to the defense of actions after judgment on substituted service

by exempting actions for the foreclosure of county and municipal taxes from the operation of said Section.

Upon motion of Senator Johnson of Duplin, the bill is re-referred to Committee on Judiciary No. 1.

Upon motion of Senator Larkins, the Senate adjourns to meet tomorrow at 12 o'clock M.

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### THIRTIETH DAY

SENATE CHAMBER,  
Tuesday, February 9, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. R. L. Jerome, Pastor of Hayes Barton Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator O'Berry, Reginald Lee Harris, III, grandson of Lieutenant Governor Harris, is made an honorary page of the Senate.

Upon motion of Senator Clark, the courtesies of the floor are extended to former Senator Carl Bailey of Washington County.

Upon motion of Senator Whitaker, the courtesies of the lobby are extended to Lieutenant Mason of Louisiana and Lieutenant Rankin of Kentucky.

Upon motion of Senator Ballentine, the courtesies of the galleries are extended to the eighth grade of Needham Broughton High School.

The President extends the courtesies of the floor to Congressman Herbert C. Bonner of the First District.

Upon motion of Senator Johnson of Halifax, the courtesies of the lobby are extended to Colonel R. B. Davis, former member of the House of Representatives.

Upon motion of Senator McKee, the courtesies of the lobby are extended to Rev. R. G. Tuttle, Paul Ellis and T. N. Massey of Sylva, N. C.

The President extends the courtesies of the floor to Dr. Leavitt, who introduces a group of teachers from Mexico City, now taking a short course in English at the University of North Carolina. The teachers are as follows: Maria-Elena Alemán, Luis Cardoz, Yolander Cordero, Luis Gutiérrez, Armando Huacuja, Raquel Mendoza, Lila Pérez and Ubaldo Vargas.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Brooks: S. B. 143, a bill to fix the salaries for public officials and employees in Durham County.



Upon motion of Senator Brooks, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Johnson of Halifax: S. B. 144, a bill to amend Chapter 130 of the Public Laws of North Carolina of 1935, relating to the registration of deeds and other instruments.

Referred to Committee on Judiciary No. 2.

By Senator Mitchell: S. B. 145, a bill to extend the jurisdiction of the mayor's court of the city of Statesville to all territory within a one mile radius of said city limits.

Referred to Committee on Courts and Judicial Districts.

By Senator Mitchell: S. B. 146, a bill to authorize any police officer of the rank of sergeant, or of higher rank, who is assigned to day or night duty as the desk officer in the city of Statesville, to issue warrants.

Referred to Committee on Counties, Cities and Towns.

By Senator Hodges: S. B. 147, a bill to extend the time within which bonds of counties and municipalities heretofore authorized may be issued.

Referred to Committee on Finance.

By Senator Wilson: S. B. 148, a bill to provide for a special election to determine the levy of a special annual tax in Alexander County for the establishment, maintenance and support of public libraries.

Referred to Committee on Finance.

By Senator Carlyle: S. B. 149, a bill to amend Section 5062 of Volume 2 of the Consolidated Statutes of 1919, as amended by Chapter 193 of the Public Laws of 1923, relating to city juvenile courts and probation officers.

Referred to Committee on Judiciary No. 1.

By Senator Weathers: S. B. 150, a bill to provide a five per cent commission to merchants reporting and paying the sales tax, as compensation for same, and amending the Revenue Act of 1939 accordingly.

Referred to Committee on Finance.

By Senator Johnson of Duplin: S. B. 151, a bill for the adoption of a State bird.

Referred to Committee on Judiciary No. 1.

By Senators Blythe and Barber: S. R. 152, a joint resolution amending the joint resolution empowering the Governor to appoint a special committee for the purpose of investigating the facilities of the Caswell Training School and making recommendations as to how the said facilities may be expanded.

Referred to Committee on Caswell Training School.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 103, a bill to appropriate funds for the equipment and maintenance of bases established in this State by the Civil Air Patrol.

Upon motion of Senator Larkins, the bill is placed upon the Calendar.

H. B. 160, a bill to amend Section 1 of Chapter 449 of the Public Laws of 1935, relating to investment in registered securities and deposit of same with the clerk of Superior Court, so that the bond of the guardian is reduced in proportion to the total amount of the bond as the funds expended are to the total amount of the estate.

Referred to Committee on Judiciary No. 2.

H. B. 163, a bill to repeal Section 5027 of the Consolidated Statutes of 1919, relating to investment of trust funds for the care of cemeteries and to empower the clerk of the Superior Court to invest such funds; and to amend Section 5028 so as to make the official bond of the clerk liable for such funds.

Referred to Committee on Judiciary No. 2.

H. B. 168, a bill to amend Section 1 of Chapter 265 of the Public Laws of 1929, the same being an Act relative to the division of territory and transfer of patients of the State Hospitals, so as to allow the authorities of the State Hospital at Morganton in their discretion to admit members of the Eastern Band of Cherokee Indians.

Referred to Committee on Mental Institutions.

H. B. 183, a bill to incorporate the town of Aquadale in Stanly County.

Referred to Committee on Counties, Cities and Towns.

H. B. 201, a bill to amend Chapter 149 of the Public Laws of 1927, relating to the regulation of the sale of securities within the State of North Carolina.

Referred to Committee on Judiciary No. 2.

H. B. 203, a bill to amend Section 130 of Chapter 158 of the Public Laws of 1939, the same being the Revenue Act of 1939, as amended by Chapter 50 of the Public Laws of 1941, so as to add penny self-service machines, contributing to the visually handicapped, to those exempt from State-wide license.

Referred to Committee on Finance.

H. B. 206, a bill to authorize the Secretary of State to enroll in a book, to be provided for that purpose, the Constitution of North Carolina of 1868 and all subsequent amendments thereto.

Referred to Committee on Judiciary No. 2.

H. B. 207, a bill to authorize the board of county commissioners of Randolph County to complete the quadrennial assessment of real property for taxation in the year 1943, and validating actions taken heretofore with respect thereto.

Referred to Committee on Finance.

H. B. 243, a bill to validate the establishment of Cumberland



County drainage district No. 3 and to validate the proceedings taken by the board of drainage commissioners of said district to authorize refunding bonds to refund outstanding bonds of said district and to provide for the payment of such refunding bonds and the administration of the affairs of said district.

Referred to Committee on Finance.

H. B. 247, a bill to improve the Appalachian State Teachers College. Referred to Committee on Education.

H. B. 258, a bill to amend Chapter 343 of the Public Local Laws of 1941 to enlarge and extend the corporate limits of the town of Jacksonville, North Carolina, so as to include the development known and designated as Overbrook.

Referred to Committee on Finance.

H. R. 349, a joint resolution providing for a visit of the General Assembly to the Navy Pre-Flight School at the University of North Carolina at Chapel Hill, N. C.

Upon motion of Senator Sanders, the rules are suspended and the resolution is taken up for immediate consideration.

Passes its second and third readings and is ordered enrolled.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 66, a bill to create a cemetery commission and to authorize the levying of a tax of 10 cents on the \$100 worth of property when approved by the qualified voters of the town of Weldon, in Halifax County.

Upon motion of Senator Johnson of Halifax, the vote by which the bill passes its second reading is reconsidered and the bill is re-referred to Committee on Finance.

S. B. 104, a bill to amend Section 10, Chapter 67 of the Public Local Laws of 1937, so that the city of Roanoke Rapids may levy a tax rate of 60 cents instead of 50 cents on the \$100 valuation on all taxable property in Roanoke Rapids, upon third reading.

The bill passes its third reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Brock, Brooks, Blythe, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Weathers, Wilson—43.

The bill is ordered sent to the House of Representatives.

H. B. 111, a bill to amend Chapter 158 of the Public Laws of 1939, same being the Revenue Act of 1939f relating to the annual privilege or license tax on mutual burial associations, upon third reading.

The bill passes its third reading by roll call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Cole, Currie, Daniel, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Matheny, Mitchell, McKee, Palmer, Pittman, O'Berry, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Weathers, Whitaker, Wilson—44.

The bill is ordered enrolled.

H. B. 97, a bill to amend Section 3 of Chapter 409 of the Public Laws of North Carolina of 1937, known as the "Maximum Hour Law," by changing the maximum weekly hours for male employees from 55 hours per week to 56 hours per week.

Senator Sanders offers an amendment which fails of adoption.

Passes its third reading and is ordered enrolled.

S. B. 60, a bill to reduce the punishment for capital felonies from death to life imprisonment when recommended by the jury.

Upon motion of Senator Larkins, action on the bill is deferred until Tuesday, February 16, 1943.

S. B. 89, a bill to amend Chapter 315 of the Public Laws of 1939, so as to provide for the purchase and distribution of General Statutes.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

Upon motion of Senator Larkins, the Senate adjourns to meet tomorrow at 12 o'clock M.

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### THIRTY-FIRST DAY

SENATE CHAMBER,

Wednesday, February 10, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Hodges, the courtesies of the floor are extended to former Senator Zeb Curtis of Buncombe County.

Upon motion of Senator Eagles, the courtesies of the floor are extended to former Representative F. W. Boswell of Wilson County.

Upon motion of Senator Wilson, the courtesies of the lobby are extended to Ed Simmons of Caldwell County.

Upon motion of Senator Brooks, the courtesies of the floor are extended to former Senator Horace E. Stacy of Robeson County.

Upon motion of Senator Graham, the courtesies of the galleries are extended to Honorable W. N. Nicholson and son, William, Jr., of Lincolnton, N. C.



Upon motion of Senator Wilson, the courtesies of the floor are extended to Mrs. Charles Hutchins, former Representative of Yancey County.

Upon motion of Senator O'Berry, the courtesies of the lobby are extended to Page Harris, son of Lieutenant Governor Harris.

Upon motion of Senator Johnson of Duplin, the courtesies of the lobby are extended to Paul D. Herring of Clinton, N. C.

Upon motion of Senator Mitchell, the courtesies of the floor are extended to former Representative Allison James of Forsyth County.

Upon motion of Senator Johnson of Duplin, S. B. 95, a bill to create a board of naturopathic examiners and to regulate the practice of naturopathy and to provide penalties for violation of this Act, and to prohibit the practice of any other mode or system under the name of naturopathy, is taken from the Committee on Judiciary No. 1 and re-referred to the Committee on Public Health.

#### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. R. 142, a joint resolution urging the Federal Authorities to apply price ceilings to the flue-cured tobacco crop by a method which will not destroy the auction system of selling tobacco.

H. R. 349, a joint resolution providing for a visit of the General Assembly to the Navy Pre-Flight School at the University of North Carolina at Chapel Hill, North Carolina.

S. B. 35, an act amending Section 32 of Chapter 81, Public Laws of 1927, as amended, being a part of the County Finance Act, and Section 2950 of the Consolidated Statutes, as amended, being a part of the Municipal Finance Act extending the time within which funding and refunding bonds may be issued; applicable only to Buncombe County and municipalities therein.

H. B. 45, an act to amend the Constitution to make the Commissioner of Agriculture and the Commissioner of Labor constitutional officers and members of the Council of State.

H. B. 87, an act to provide for special judges in North Carolina.

H. B. 97, an act to amend Section 3 of Chapter 409 of the Public Laws of North Carolina of 1937, known as the "Maximum Hour Law," by changing the maximum weekly hours for male employees from 55 hours per week to 56 hours per week.

H. B. 111, an act to amend Chapter 158 of the Public Laws of 1939, same being the Revenue Act of 1939, relating to the annual privilege or license tax on mutual burial associations.

#### ENGROSSED BILLS

Senator Poindexter, for the Committee on Engrossed Bills, reports the following bill as properly engrossed, and the same is ordered sent to the House of Representatives:

S. B. 89, a bill to amend Chapter 315 of the Public Laws of 1939, so as to provide for the purchase and distribution of the General Statutes.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator O'Berry, for the Committee on Finance:

S. B. 114, a bill amending Chapter 310, Section 1715, Public Laws 1939, relating to advertisement of sale of tax liens, with an unfavorable report.

S. B. 128, a bill to amend Chapter 368 of the Public Local Laws of North Carolina of 1911 and Acts amendatory thereto, giving the Canton Police Court jurisdiction over property owned by the town of Canton in Haywood County and outside the corporate limits of the town of Canton, with a favorable report.

S. B. 127, a bill to authorize the board of aldermen of the town of Canton, Haywood County, to regulate the prices charged by persons operating vehicles for hire in the town, except those under the jurisdiction of the Utilities Commission of North Carolina, with a favorable report.

S. B. 132, a bill authorizing counties to establish capital reserve funds, with a favorable report.

S. B. 133, a bill relating to the term of office of the treasurer of Mecklenburg County, and the salaries of the register of deeds, chairman of the board of county commissioners, and the collector of revenue of Mecklenburg County, with a favorable report.

S. B. 134, a bill authorizing individuals to deduct from their State income taxes Federal income taxes by amending Subsection 4 of Section 322 of the Revenue Act of 1939, as amended, and being Chapter 158 of the Public Laws of 1939, with an unfavorable report.

S. B. 137, a bill to authorize the issuance of notes of the State for the purpose of paying appropriations, with a favorable report.

S. B. 147, a bill to extend the time within which bonds of counties and municipalities heretofore authorized may be issued, with a favorable report.

S. B. 148, a bill to provide for a special election to determine the levy of a special annual tax in Alexander County for the establishment, maintenance and support of public libraries, with a favorable report.

H. B. 185, a bill to allow the board of county commissioners of Onslow County, in its discretion, to revalue and readjust all real estate and personal property values during the year 1943, with a favorable report.

H. B. 203, a bill to amend Section 130 of Chapter 158 of the Public Laws of 1939, the same being the Revenue Act of 1939, as amended by Chapter 50 of the Public Laws of 1941, so as to add penny self-service machines, contributing to the visually handicapped to those exempt from State-wide license, with a favorable report.

H. B. 235, a bill to amend Chapter 56 of the Public Local Laws of 1939 so as to authorize the county commissioners of Wayne County to turn into the general fund of the county all taxes collected for the year 1935 and all prior years, with a favorable report.

By Senator Sanders, for the Committee on Judiciary No. 2:



S. B. 31, a bill to amend Section 3316 of the Consolidated Statutes of 1919, relating to the registration of deeds or agreements for right-of-ways and easements, with a favorable report.

S. B. 144, a bill to amend Chapter 130 of the Public Laws of North Carolina of 1935, relating to the registration of deeds and other instruments, with a favorable report.

S. B. 102, a bill to amend Section 956 of the Consolidated Statutes of North Carolina so as to regulate the filing of annual reports by the clerk of the Superior Court of Rockingham County, with a favorable report.

S. B. 124, a bill to amend Section 1664 of the Consolidated Statutes of 1919, relating to the custody of children in divorce, with a favorable report.

H. B. 206, a bill to authorize the Secretary of State to enroll in a book, to be provided for that purpose, the Constitution of North Carolina of 1868 and all subsequent amendments thereto, with a favorable report.

H. B. 238, a bill to amend Chapter 87 of the Public Local Laws of 1935, relating to the service of grand jurors in Franklin County, with a favorable report.

H. B. 32, a bill to require the board of county commissioners of Currituck County to publish the minutes of its meetings in some newspaper circulated in the county, with a favorable report.

H. B. 163, a bill to repeal Section 5027 of the Consolidated Statutes of 1919, relating to investment of trust funds for the care of cemeteries and to empower the clerk of the Superior Court to invest such funds; and to amend Section 5028 so as to make the official bond of the clerk liable for such funds, with a favorable report.

H. B. 173, a bill to repeal Section 9 of Chapter 623 of the Public Local Laws of 1927, relative to the issuance of bonds of Randolph County, with a favorable report.

H. B. 39, a bill to amend Section 4458 of the Consolidated Statutes, so as to regulate the punishment for public drunkenness in Mecklenburg County, with a favorable report.

H. B. 42, a bill regulating settlements for damages in personal injury cases, with an unfavorable report.

H. B. 90, a bill to amend Section 1864 of Volume 3 of the Consolidated Statutes of 1924, to make said Section applicable to Caswell County, with a favorable report.

H. B. 63, a bill to authorize county commissioners to provide compensation for members of rationing boards while in the actual performance of their duties, with a favorable report.

H. B. 114, a bill to declare valid and legal the creation, establishment and organization of housing authorities, and all bonds, notes, agreements and undertakings of such housing authorities, and all proceedings, Acts and things heretofore undertaken or done with reference thereto, with a favorable report.

H. B. 160, a bill to amend Section 1 of Chapter 449 of the Public Laws of 1935, relating to investment in registered securities and deposit of same with the clerk of Superior Court, so that the bond of the

guardian is reduced in proportion to the total amount of the bond as the funds expended are to the total amount of the estate, with a favorable report.

H. B. 176, a bill to amend Chapter 40 of the Public Local Laws of 1929, relating to the laws of landlords and tenants, so that the county of Hoke shall be included thereunder, with a favorable report.

H. B. 177, a bill to amend Section 2366 of the Consolidated Statutes of North Carolina, the same being a part of the laws governing landlords and tenants, so as to include the county of Hoke thereunder, with a favorable report.

H. B. 201, a bill to amend Chapter 149 of the Public Laws of 1927, relating to the regulation of the sale of securities within the State of North Carolina, with a favorable report.

By Senator Horton, for the Committee on Education:

S. B. 27, a bill to amend Chapter 25 of the Public Laws of 1941, creating a Teachers and State Employees Retirement System in North Carolina, with a favorable report, as amended.

H. B. 142, a bill to repeal Chapter 430 of the Public Local Laws of 1937, in order that the nomination and election of members of the Burke County Board of Education may be again placed under the operation of the General Statutes of North Carolina governing the nomination and election of county boards of education, with a favorable report.

H. B. 247, a bill to improve the Appalachian State Teachers College, with a favorable report.

H. B. 266, a bill creating five districts for the nomination of members of the board of education of Moore County, with a favorable report.

H. B. 188, a bill to appoint trustees of the Tryon-Saluda Administrative School Unit, with a favorable report.

H. B. 204, a bill to amend the charter of the city of Hickory so as to grant persons living without the corporate limits but within the boundaries of the Hickory City Administrative School Unit the right to vote for the election of school trustees, with a favorable report.

By Senator Weathers, for the Committee on Federal Relations:

S. B. 30, a bill to authorize the conveyance by the State of North Carolina of a lot 50 feet square of the Battlefield near Appomattox Court House to the United States of America for addition to the Appomattox Court House National Historical Monument, with a favorable report.

S. B. 71, a bill to amend Section 16 of Chapter 33 of the Public Laws of 1929, relating to the commitment of veterans to United States Government Hospitals, with a favorable report.

S. R. 94, a joint resolution memorializing the Congress of the United States to enact legislation relating to Daylight Saving or War Time, with a favorable report.

By Senators Blythe and Barker, for the Committee on Caswell Training School:

S. R. 152, a joint resolution amending the joint resolution empowering the Governor to appoint a special committee for the purpose of



investigating the facilities of the Caswell Training School and making recommendations as to how the said facilities may be expanded, with a favorable report.

By Senator Johnson of Duplin, for the Committee on Judiciary No. 1:

S. B. 110, a bill to amend Section 198 of the Consolidated Statutes of North Carolina, as amended, relating to the practice of law by justices of the peace, so as to allow attorneys in Lincoln County to serve as justices, with a favorable report.

Upon motion of Senator Johnson of Duplin, the bill is taken from the unfavorable calendar and re-referred to Committee on Judiciary No. 1.

H. B. 129, a bill to permit the board of commissioners of Guilford County to pay the premiums on the bonds of deputy sheriffs and constables, with a favorable report.

H. B. 241, a bill to provide for the election of a county surveyor for Robeson County quadrennially, with a favorable report.

S. B. 126, a bill to amend Section 3294 of the Consolidated Statutes of North Carolina for the year 1919, so as to add commissioners of oaths to officials before whom instruments may be proved or acknowledged, with a favorable report.

S. B. 107, a bill validating summons designated alias or pluries summons, though not actually such, on which judgments or other final decrees have been entered, with a favorable report.

S. B. 115, a bill to repeal Section 1343 of the Consolidated Statutes relating to the removal of indigent to county of settlement; maintenance; penalties, with a favorable report.

H. B. 265, a bill to amend Section 2366 of the Consolidated Statutes, as amended, providing for dispossession of tenants for refusal to perform contracts in certain counties, to include in counties therein listed the county of Brunswick, with a favorable report.

S. B. 84, a bill to amend Chapter 25 of the Public Laws of 1941, creating a Teachers and State Employees Retirement System in North Carolina, to permit the board of trustees to make regulations preventing injustices and inequalities not otherwise covered by the Act and to permit the re-employment of teachers and State employees who have been retired on account of age when needed during any emergency, with a favorable report.

H. B. 38, a bill to repeal Section 4436 of the Consolidated Statutes of North Carolina, relating to the seizure and disposition of property exhibited for the purpose of alluring persons to bet on any game, with a favorable report.

H. B. 115, a bill to amend Chapter 63 of the Public Laws of 1941, to extend the time in which the development of projects may be initiated thereunder, with a favorable report.

H. B. 44, a bill to make more elastic the punishment for certain violations of the Lottery and Gaming Laws of the State of North Carolina, with a favorable report.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Wallace: S. B. 153, a bill to provide for the staggering of the terms of county commissioners in Montgomery County, and to provide for the election of county commissioners for a period of four years, and to further extend the term of county commissioner D. J. McLeod, and to fix the salary of county commissioners.

Referred to Committee on Counties, Cities and Towns.

By Senators Blythe, Larkins, Carlyle, Weathers and Hodges:

S. B. 154, a bill conferring emergency war powers upon the Governor to protect the lives and property of the people of the State and promote the security of the State and Nation during the existing state of war.

Referred to Committee on Interstate Cooperation.

By Senators Cherry, Larkins and Brooks: S. B. 155, a bill to permit executors, administrators C. T. A., trustees and guardians to invest certain funds held by them in the specified types of insurance.

Referred to Committee on Judiciary No. 1.

By Senator Mitchell, by request: S. B. 156, a bill authorizing State employees to voluntarily permit deductions from their salaries for purchase of war bonds.

Referred to Committee on Appropriations.

By Senator Barker: S. B. 157, a bill to create an additional commissioner's district for the county of Robeson to be known as district No. 6.

Referred to Committee on Counties, Cities and Towns.

By Senator Hudgins: S. B. 158, a bill to amend Chapter 107 of the Public Local and Private Laws of 1931 entitled, "An Act to amend Chapter 395 of the Public Local Laws of 1909 and all Acts amendatory thereof, relating to the city charter of the city of High Point."

Referred to Committee on Counties, Cities and Towns.

By Senator Hudgins: S. B. 159, a bill to authorize the city of High Point to make additional appropriations after the adoption of the budget in any fiscal year.

Referred to Committee on Counties, Cities and Towns.

By Senator Hudgins: S. B. 160, a bill to amend Chapter 251 of the Public Local and Private Laws of 1941, entitled "An Act relating to the sale of certain land by the city of High Point."

Referred to Committee on Counties, Cities and Towns.

By Senator Wade: S. B. 161, a bill to extend the period during which counties, cities, towns and sanitary districts may issue revenue bonds for the acquisition, construction, reconstruction, improvement, betterment and extension of revenue-producing undertakings as authorized by Chapter 2 of the Public Laws of the State of North Carolina, Extra Session of 1939.

Referred to Committee on Counties, Cities and Towns.

By Senators Cherry and Taylor: S. B. 162, a bill to amend Chapter 242 of the Public Laws of 1937, same being "An Act to provide educational advantages in State Institutions to World War orphans."



Referred to Committee on Judiciary No. 1.

By Senators Price, Matheny, Whitaker, Hudgins and Pittman: S. B. 163, a bill amending Chapter 179, Public Laws 1933, as amended, relative to beauty parlors.

Referred to Committee on Judiciary No. 2.

By Senator Currie: S. B. 164, a bill relating to the compensation of the members of certain county boards in Moore County.

Referred to Committee on Counties, Cities and Towns.

By Senator Currie: S. B. 165, a bill authorizing the payment of compensation to the chairman and members of the draft and rationing boards of Moore County, and the payment of certain expenses of said boards.

Referred to Committee on Counties, Cities and Towns.

By Senator Benton: S. B. 166, a bill to regulate the practice of cosmetic art in the State of North Carolina.

Referred to Committee on Public Health.

By Senator Brown: S. B. 167, a bill to authorize the county commissioners of Avery County to direct the board of elections to call an election for the purpose of submitting to the voters of said county the question of whether the sale of beer and wine in said county shall be prohibited.

Referred to Committee on Election Laws.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 102, a bill to compensate clerks of the Superior Court and inferior courts for making statistical reports in civil and criminal cases.

Referred to Committee on Judiciary No. 2.

H. B. 228, a bill to enable blind persons to be accompanied by their seeing-eye guide dogs in all public conveyances and in all places of public accommodation.

Referred to Committee on Institutions for the Blind.

H. B. 236, a bill to amend Subsection 5 of Section 24 of Chapter 145 of the Public Laws of 1931, as amended by Chapter 16 of the Public Laws of 1941, relating to gasoline road tax refunds.

Referred to Committee on Public Roads.

H. B. 281, a bill to authorize an election in Brunswick County on the question of the erection of a new court house and the issuance of bonds therefor.

Referred to Committee on Finance.

H. R. 348, a joint resolution requesting delegation in Congress to support the bill of Representative Barden to provide vocational rehabilitation, training, and other services to persons disabled while members of the armed forces, or disabled in war industries or through other causes, or congenitally disabled, and to render such persons fit for service in war industries, agriculture, or other useful civilian industry.

Upon motion of Senator Mitchell, the rules are suspended and the resolution is taken up for immediate consideration.

Passes its second and third readings and is ordered enrolled.

H. B. 248, a bill to amend Section 6264 of the Consolidated Statutes of 1919 to change the title of the Insurance Commissioner to Commissioner of Insurance.

Referred to Committee on Insurance.

H. B. 252, a bill to amend Section 5828 of the Consolidated Statutes of North Carolina and to provide for appointment of trustees of the Negro Agricultural and Technical College of North Carolina.

Referred to Committee on Education.

H. B. 260, a bill to amend Section 2329 of the Consolidated Statutes, as amended, to include, among those exempted from jury duty, radio broadcast technicians and announcers.

Referred to Committee on Courts and Judicial Districts.

HOUSE OF REPRESENTATIVES,  
Tuesday, February 9, 1943.

*Mr. President:*

It is ordered that a message be sent informing your Honorable Body that pursuant to H. R. 349, entitled "A joint resolution providing for a visit of the General Assembly to the Navy Pre-Flight School at the University of North Carolina at Chapel Hill, North Carolina," the Speaker has appointed as a Committee of the House to serve with a like Committee appointed by the Senate, Messrs. Umstead, Burns and Story.

Respectfully,  
SHEARON HARRIS, *Principal Clerk.*

The President appoints as a Committee on the part of the Senate to act with a like Committee on the part of the House of Representatives to make arrangements for visiting the Navy Pre-Flight School at the University of North Carolina at Chapel Hill, North Carolina. Senators Sanders and Johnson of Duplin, and a message is ordered sent to the House of Representatives informing that Body of such action.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 103, a bill to appropriate funds for the equipment and maintenance of bases established in this State by the Civil Air Patrol.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Horton, the Senate adjourns to meet tomorrow at 12 o'clock M.



**THIRTY-SECOND DAY**

SENATE CHAMBER,  
Thursday, February 11, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Cherry, the courtesies of the floor are extended to Associate Justice E. B. Denny of Gaston County.

Upon motion of Senator Cherry, the courtesies of the floor are extended to former Senator H. B. Gaston of Gaston County.

Upon motion of Senator Cherry, Miss Joanna Gaston, daughter of former Senator H. B. Gaston of Gaston County, is made an honorary page of the Senate.

Upon motion of Senator Mitchell, the courtesies of the lobby are extended to Honorable Hayden Burke of Alexander County.

Upon motion of Senator Ruark, the courtesies of the floor are extended to former Senator Emmett Bellamy of New Hanover County.

Upon motion of Senator Chaffin, the courtesies of the lobby are extended to Mrs. Joseph C. Eagles, wife of Senator Eagles of Wilson County.

Upon motion of Senator Evans, the courtesies of the lobby are extended to M. S. Godwin of Hertford County.

Upon motion of Senator Wilson, the courtesies of the floor are extended to former Senator Harry Miller of Alexander County.

Upon motion of Senator Graham, the courtesies of the lobby are extended to Professor Joe Nickson of Lincoln County.

Upon motion of Senator Weathers, the courtesies of the lobby are extended to Hoke McPherson of Cleveland County.

Upon motion of Senator Matheny, the courtesies of the lobby are extended to Honorable O. J. Hollow of Rutherford County.

Upon motion of Senator Mitchell, the courtesies of the lobby are extended to C. A. Copp of Baden, N. C.

Upon motion of Senator Ballentine, the courtesies of the galleries are extended to the Eighth Grade of Needham Broughton High School of Raleigh, N. C., and their teacher, Mrs. N. G. Fonville.

The President extends the courtesies of the floor to former Senator Joe Warren of Caswell County.

The President extends the courtesies of the floor to Former Senator Wiley Andrews of Wayne County.

Upon motion of Senator Price, Miss May Stokes Jones is made an honorary page of the Senate.

The President acknowledges the receipt of a letter addressed to Governor J. Melville Broughton from the Secretary of State of the

United States, Honorable Cordell Hull, expressing his regrets for being unable to address a Joint Session of the General Assembly of North Carolina.

SPECIAL MESSAGE FROM THE GOVERNOR

The following message is received from His Excellency, Governor J. Melville Broughton:

Thursday, February 11, 1943.

*Mr. President, Mr. Speaker, and Members of the General Assembly of North Carolina:*

I desire to bring to the attention of the General Assembly urgent matters of importance with respect to the affairs of the Atlantic and North Carolina Railroad Company. These matters demand attention and action at the earliest possible moment.

On July 1, 1942, the outstanding first mortgage 6% bonds, the principal amounting to \$295,500.00, of the Atlantic and North Carolina Railroad Company became due and are now in default. Foreclosure action has been withheld by the bondholders pending the convening of the General Assembly, and such provision, if any, as may be made by it with reference thereto.

Negotiations have been conducted with the holders of the bonds to ascertain the most favorable basis of settlement which might be agreed upon. Through their attorney, Honorable Marshall T. Spears, a proposition has been submitted in a letter to Honorable Charles M. Johnson, State Treasurer, which is as follows:

"The Atlantic and North Carolina Railroad Company has outstanding first mortgage six (6%) percentum bonds in the total principal sum of \$295,500.00. These bonds are owned and held by the following:

Duke University .....	\$129,500.00
The Fidelity Bank .....	\$130,000.00
Trustees Watts Hospital .....	\$ 34,000.00
Mercantile Trust Company of Baltimore (Trust Department) .....	\$ 2,000.00
	<hr/>
	\$295,500.00

"On June 25, 1940, Duke University, Trustees of Watts Hospital and The Fidelity Bank agreed to accept a rate of interest of three (3%) percentum on the coupons of the bonds that fell due on July 1, 1940, and January 1, 1941, in lieu of six (6%) percentum.

"On December 17, 1940, Duke University, Trustees of Watts Hospital, and The Fidelity Bank agreed to accept a rate of interest of three (3%) percentum on the coupons of the bonds that fell due on July 1, 1941, and January 1, 1942, in lieu of six (6%) percentum. The agreement to reduce the interest was based on certain conditions set out in letters to Harry Jacobs, Secretary and Treasurer of said Railroad.

"On or about September 12, 1941, \$500.00 was paid on the principal of one of the bonds held by Duke University. The interest on this bond was paid to and including December 31, 1941.



"According to my computation, which may be subject to correction if I have made an error therein, the interest on the bonds in the principal sum of \$295,000.00 is now due, as follows:

6% Coupons due January 1, 1940 .....	\$8,850.00
6% Coupons due July 1, 1940 (interest reduced by agreement to three percent) .....	\$4,425.00
6% Coupons due January 1, 1941 (interest re- duced by agreement to three percent) .....	\$4,425.00
6% Coupons due July 1, 1941 (interest reduced by agreement to three percent) .....	\$4,425.00
6% Coupons due January 1, 1942 (interest re- duced by agreement to three percent) .....	\$4,425.00
6% Coupons due July 1, 1942 .....	\$8,850.00
6% Coupons due July 1, 1942 (on one bond on which there is a balance of principal of \$500.00) .....	\$ 15.00
6% interest on \$295,500.00 from July 1, 1942 to April 1, 1943 .....	\$13,297.50
	<hr/>
	\$48,712.50

"You inquired of me about ten days ago if Duke University, Trustees of Watts Hospital and The Fidelity Bank would be willing to waive all accrued interest on said bonds and accept the principal of the said bonds in full payment thereof. I took this matter up with each of said bond holders and after giving due consideration thereto they stated that they could not waive all the accrued interest on said bonds. However, they informed me that they would be willing to reduce the interest rate to three (3%) percentum, provided the bonds were paid off on or before April 1, 1943. According to my figures this would reduce the interest in the amount of \$15,506.25. In other words, if my figures are correct, the total interest due on April 1, 1943, would be \$33,206.25. In agreeing to reduce the interest to three (3%) percentum, the said bond holders do so on the condition and with the distinct understanding and agreement that such reduction shall not in any manner be considered on construed directly or indirectly as an extension of the time for the payment of any coupon or coupons and shall in nowise effect or impair the validity of said bond and coupons or the security therefor. This offer is also made on the condition that the said bonds and the interest thereon at the rate of three (3%) percentum shall be paid on or before April 1, 1943."

By reason of the financial condition of the Atlantic and North Carolina Railroad Company and the history of the outstanding bonds, it is apparent that these bonds could not be re-issued and sold at any reasonable rate of interest, if they could be sold at all. It, therefore, becomes necessary for the State to determine whether or not it is wise to make some provision for payment of these bonds. If this is to be done, it should be arranged prior to April 1, 1943, in order to effect the saving of interest offered by the bondholders.

At the same time that this matter is considered by the General As-

sembly, there is another thing of equal importance which should be taken into consideration. The Federal Government is directly and vitally interested in the successful operation of this railroad, and particularly that part of same from New Bern, North Carolina, to Morehead City, North Carolina, by reason of the location of the United States Marine Air Base at Cherry Point, and the war activities now being carried on at Morehead City. The location of these things on the line of this railroad has enormously increased the business of the railroad and imposed a heavy load on the railroad tracks and equipment. It is recognized by the Federal Authorities that this abnormal load is incident to the existing state of war and military operations which have been and will be carried on in that vicinity, which, to an extent, will be reduced at the conclusion of hostilities. By reason of this fact and the necessity of maintaining the proper railroad facilities for existing installations and those that may be made in the future, the Federal authorities have caused a survey to be made of the estimated cost of putting the roadbed, bridges and structures in good conditions from New Bern to Morehead City. According to the estimates made, this cost will be in excess of \$635,000.00. This cost does not include a laying of heavy rail, as this cannot be obtained at this time. The present rail is 60-pound rail and would serve the purpose, provided the necessary improvements are made to the track, in the way of ballast, crossties and structures.

The Federal authorities have indicated that, if the Atlantic and North Carolina Railroad Company can provide as much as \$200,000.00 of the cost of this construction, the balance, or \$435,000.00 or such sum in addition thereto as may be required, will be provided by way of a grant to the Railroad Company, to be taken care of in part by such concessions as may be made in rates on government-hauled freight.

This presents an important emergency situation which may properly be considered by the General Assembly in connection with the financial affairs of the Railroad Company.

The Atlantic and North Carolina Railroad properties were leased to the Atlantic and East Carolina Railway Company by lease which became effective on September 1, 1939. Under the terms of this lease, the lessee railroad pays the minimum rental of \$60,500.00 a year, with a percentage on railroad operating revenues in excess of \$475,001.00, ranging from 1½ % on railroad operating revenues between \$475,001.00 and \$499,999.00, to 4 % on railroad operating revenues in excess of \$600,001.00. The excess rentals for the year ending December 31, 1941, amounted to \$10,539.96. For the fiscal year 1942, the excess rentals will amount to a very substantial figure, due to the large operating railway revenues received from the heavy movements of freight during the year.

Under the terms of the lease, the lessee railroad is required to maintain the railroad property in good condition, and, among other things, to install a minimum of 40,000 new crossties each year.

The General Assembly of 1941, by Chapter 170, Public Laws of 1941, authorized the Governor, by and with the advice of the Council



of State, to make loans not exceeding \$200,000.00 to the Atlantic and North Carolina Railroad Company, to be, in turn, loaned by it to the operating railroad, to rehabilitate the railroad properties by installation of cross-ties in excess of the number required by the terms of the lease, in order to put the railroad in such physical condition as to handle the large increase of business anticipated from the construction of the Marine Air Base at Cherry Point. Enactment of this statute and the authority to make these loans made it possible to secure the location of this base at Cherry Point. Acting under authority of this statute, loans have been made to the Atlantic and North Carolina Railroad Company which, in turn, were loaned by it to the lessee railroad company, amounting to a total of \$151,107.91. In addition thereto, on January 12, 1942, a loan was made to the Atlantic and North Carolina Railroad, under authority of this Act, amounting to \$24,000.00, evidenced by a note bearing 2% interest, payable in 22 equal annual installments, the first due September 1, 1942, and the others annually thereafter. The lessee railroad company had constructed a railroad track leading from Havelock to the Marine Air Base at Cherry Point, a distance of 1.43 miles. It was deemed necessary for the Atlantic and North Carolina Railroad Company to own this spur track, and, accordingly, an agreement was made with the lessee railroad by which the property was conveyed to the Atlantic and North Carolina Railroad Company at the actual amount invested in it by the lessee company, this sum being \$24,059.00. This amount does not include the cost of the right-of-way which is to be determined in a pending condemnation proceeding. This track was, in turn, leased to the lessee railroad company at a rental which will reimburse the Atlantic and North Carolina Railroad Company for the entire cost, with payments falling due at maturity of the installments of the loan and corresponding thereto.

It is anticipated that all the loans made for the installation of cross-ties will be repaid by the operating railroad to the Atlantic and North Carolina Railroad Company in time to meet the installments due on loans made to it. The money for these loans has been advanced out of the general fund. Of this amount, there has been paid back, \$52,952.90, principal, and, in addition thereto, accrued interest, practically all of this amount being paid in advance of the maturity of the notes given therefor.

In the event that a plan is worked out whereby advantage may be taken of the offer of the Federal authorities to recondition the railroad track and structures between New Bern and Morehead City, a proper adjustment should be made with the Atlantic and East Carolina Railway Company to reimburse the Atlantic and North Carolina Railroad Company, over a reasonable period of time, for the installation of cross-ties and other maintenance, which, under the terms of the lease, the operating railroad would be required to provide.

In addition to the above-mentioned loans made under authority of the 1941 Act, a loan was made from the State Sinking Fund of \$26,500.00 on June 29, 1942, bearing interest at 3%, and payable \$1,204.55 in equal annual installments, the last installment being due

on June 29, 1964. This loan was made for the purpose of paying for the improvements on the warehouse property of the Railroad Company located in Goldsboro. A ground lease had been made of this land to a firm in Goldsboro with the provision that, in the event the lease was not renewed, the railroad would pay for the warehouse built thereon after the date of the lease. If the parties were unable to agree as to the value of the improvements, the amount was to be settled by arbitration. An arbitration was had and following that, an agreement was reached by compromise fixing the value at \$26,500.00. As the railroad company had not funds with which to meet this obligation, it was deemed necessary by the Governor and Council of State that the payment be provided as hereinbefore mentioned. It is anticipated that these properties will be rented for a sum sufficient to pay the amount borrowed during the life of the loan.

On July 1, 1942, a loan was made by the Governor and Council of State to the Atlantic and North Carolina Railroad Company of \$45,000.00, evidenced by 5 notes of \$9,000.00 each, bearing interest at 3%, payable in annual installments, the first due July 1, 1943. This loan was made for the purpose of enabling the Atlantic and North Carolina Railroad Company to purchase locomotives, which were necessary in order to operate the railroad to meet the demand on it for motive power. The loan is secured by a mortgage on the locomotives and, it is anticipated, will be promptly repaid by the operating railroad. This loan was made from the State Sinking Fund under authority of Chapter 146 of the Public Laws of 1935, which amended Chapter 62 of the Public Laws of 1925, creating the State Sinking Fund Commission.

Under the authority of this Act, a loan was made by the State to the Atlantic and North Carolina Railroad Company on September 6, 1935, amounting to \$104,900.00. This note bears interest at 5%, and is past due and no payments have been made on it. This loan was made at the time that the Atlantic and North Carolina Railroad Company was turned back to the company for operation following the repudiation of the lease by the receivers of the Norfolk and Southern Railroad Company. At this time the railroad was in such bad physical condition, it could not be operated without the immediate expenditures of funds on its roadbed and the track, to make operation possible. The money was loaned to the State for the purpose of rehabilitating the railroad properties, which appeared essential at that time.

The loans above mentioned amount to a total of \$176,400.00, which were made by the State Sinking Fund to the Atlantic and North Carolina Railroad Company, are now outstanding. It may be reasonably anticipated that the \$26,500.00 and the \$45,000.00 loans will be repaid by revenues received and reimbursements provided by the lessee railroad. The loan of \$104,900.00, with accrued interest, can be paid by the Atlantic and North Carolina Railroad Company only from receipts from rentals. A recapitulation of these loans is as follows:

#### SINKING FUND NO. 6

September 6, 1935, Interest Rate 5% due September 6, 1937 \$104,900.00



## SINKING FUND NO. 2

June 29, 1942, Interest rate 3% due June 29, 1943, installments on \$1,204.55 each year through 1963 and \$1,204.45 due June 29, 1964, for improving land of Railroad Company in Goldsboro .....	\$26,500.00	
July 1, 1942, Interest rate 3% due July 1, 1943, 5 notes \$9,000.00 each for the purpose of buying locomotives .....	\$45,000.00	\$71,500.00
TOTAL FOR SINKING FUNDS .....		\$176,400.00
TOTAL NOTES PURCHASED BY GENERAL FUND .....		\$175,170.91
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GRAND TOTAL ATLANTIC AND NORTH CAROLINA RAILROAD COMPANY NOTES.....		\$351,570.91
LESS PRINCIPAL SUM PAYMENTS .....		\$ 52,952.90
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BALANCE PRINCIPAL .....		\$298,618.01

There is attached hereto a copy of the Report of the Stockholders by the President and Secretary-Treasurer at the last annual meeting of the Atlantic and North Carolina Railroad held on August 6, 1942, which Report contains a balance sheet as of July 31, 1942, and other information which will be of value and interest to the General Assembly. Attention is called to the balance sheet as of July 31, 1942, which is included in this Report. Listed is the current liabilities of Federal, State and local taxes payable, amounting to \$92,580.89. This item includes a large amount of franchise taxes due the State of North Carolina for the years 1935 to 1938, inclusive. Consideration may well be given to a substantial reduction of this tax liability to the State.

More than ever before, the Atlantic and North Carolina Railroad constitutes an important link in the railroad system of the State, by reason of the fact that it is now serving the great Marine Air Base at Cherry Point and the military installations at Morehead City. It has become a vital link in the defense plans of the Nation. The increased importance of this railroad justifies the hope that its operations may continue to be successful and profitable, and that, eventually, it may liquidate its liabilities and become a profitable investment for the State and the other stockholders therein. The present financial situation demands the immediate attention of the General Assembly, to the end that the Governor and other State officers may be advised as to the course of action which should be taken.

## RECOMMENDATION

It is, therefore, recommended that a special committee be appointed by the Senate and that a special committee be appointed by the House of Representatives, to give prompt consideration to the financial problems confronting the Atlantic and North Carolina Railroad, and that such legislation be adopted as may be found desirable to protect the State's interest in this property and the public served thereby.

## ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled and they are duly ratified and sent to the office of the Secretary of State:

H. R. 348, a joint resolution requesting delegation in Congress to support the bill of Representative Barden to provide vocational rehabilitation, training, and other services to persons disabled while members of the armed forces, or disabled in war industries or through other causes, or congenitally disabled, and to render such persons fit for service in war industries, agriculture, and other useful civilian industry.

S. B. 70, an act to amend Chapter 692 of the Public Local Laws of 1913, as amended by Chapter 809 of the Public Local Laws of 1915 and Chapter 76 of the Public Local Laws of 1925, relating to the appointment of a recorder and prosecuting attorney of the recorder's court of Mount Airy Township, Surry County.

S. B. 83, an act to authorize the copying of names of the registered electors in certain precincts within the corporate limits of the city of Greensboro from the general election registration books and to make such electors eligible to vote in Greensboro municipal primaries and elections.

H. B. 103, an act to appropriate funds for the equipment and maintenance of bases established in this State by the Civil Air Patrol.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator O'Berry, for the Committee on Finance:

H. B. 207, a bill to authorize the board of county commissioners of Randolph County to complete the quadrennial assessment of real property for taxation in the year 1943, and validating actions taken heretofore with respect thereto, with a favorable report.

H. B. 243, a bill to validate the establishment of Cumberland County drainage district, No. 3 and to validate the proceedings taken by the board of drainage commissioners of said district to authorize refunding bonds to refund outstandings bonds of said district and to provide for the payments of such refunding bonds and the administration of the affairs of said district, with a favorable report.

H. B. 258, a bill to amend Chapter 343 of the Public Local Laws and Private Laws of 1941 to enlarge and extend the corporate limits of the town of Jacksonville, North Carolina, so as to include the development known and designated as Overbrook, with favorable report.

By Senator Watkins, for the Committee on Counties, Cities and Towns:

S. B. 59, a bill to amend Section 2 of Chapter 427 of the Public Local Laws of 1927, as amended, relating to the salary of the sheriff of Guilford County, with an unfavorable report.



S. B. 101, a bill authorizing and empowering the board of county commissioners of Rockingham County to employ and regulate the salaries of deputy clerks of the Superior Court and of other clerical employees, with a favorable report.

S. B. 119, a bill to regulate the pay and prescribe the duties of the sheriff and the deputy sheriffs of Guilford County, with a favorable report.

S. B. 122, a bill to amend Chapter 201 of the Private Laws of 1915, being the charter of the town of Warrenton, with a favorable report.

S. B. 131, a bill to change the name of "Town of Albemarle," set forth in Chapter 384 of Private Laws of 1911, to "City of Albemarle," and provide for the compensation of the commissioners of said city, with a favorable report.

S. B. 135, a bill to fix the term of office of the board of county commissioners of Graham County, with a favorable report.

S. B. 140, a bill to repeal Chapter 43 of the Private Laws of the State of North Carolina 1885, this being "An Act to repeal the charter of the town of Mooresboro," with a favorable report.

S. B. 141, a bill to amend Chapter 376 of the Private Laws of 1941 of North Carolina, changing the corporate limits of the town of Canton, with a favorable report.

S. B. 146, a bill to authorize any police officer of the rank of sergeant, or of higher rank, who is assigned to day or night duty as the desk officer in the city of Statesville, to issue warrants, with a favorable report.

S. B. 153, a bill to provide for the staggering of the terms of county commissioners in Montgomery County, and to provide for the election of county commissioners for a period of four years, and to further extend the term of county commissioner D. J. McLeod, and to fix the salary of county commissioners, with a favorable report.

S. B. 157, a bill to create an additional commissioner's district for the county of Robeson to be known as District No. 6, with a favorable report.

S. B. 158, a bill to amend Chapter 107 of the Public Local and Private Laws of 1931 entitled, "An Act to amend Chapter 395 of the Public Local Laws of 1909 and all acts amendatory thereof relating to the city charter of the city of High Point," with a favorable report.

S. B. 159, a bill to authorize the city of High Point to make additional appropriations after the adoption of the budget in any fiscal year, with a favorable report.

S. B. 160, a bill to amend Chapter 251 of the Public Local and Private Laws of 1941, entitled, "An Act relating to the sale of certain land by the city of High Point," with a favorable report.

S. B. 161, a bill to extend the period during which counties, cities and towns, and sanitary districts may issue revenue bonds for the acquisition, construction, reconstruction, improvement, betterment, and extension of revenue-producing undertakings as authorized by Chapter 2 of the Public Laws of the State of North Carolina, Extra Session of 1938, with a favorable report.

S. B. 164, a bill relating to the compensation of the members of certain county boards in Moore County, with a favorable report.

S. B. 165, a bill authorizing the payment of compensation to the chairman and members of the draft and rationing boards of Moore County, and the payment of certain expenses of said boards, with a favorable report.

H. B. 14, a bill to repeal Chapter 101 of the Public Local Laws of 1939, the same being "An Act to require the sheriff of Currituck County to appoint a deputy sheriff for Moyock township in said county," with a favorable report.

H. B. 112, a bill to require the county commissioners of Graham County to sell county property only at public auction and after giving notice, with a favorable report.

H. B. 128, a bill to abolish the office of tax collector in Guilford County, and to consolidate the duties of tax collector and tax supervisor, with a favorable report.

H. B. 136, a bill to amend Chapter 415 of the Public Local Laws of 1941, relating to the transfer of the duties of tax collector to the county accountant of Swain County, with a favorable report.

H. B. 151, a bill to authorize and empower the commissioners of the town of Tryon to locate and determine the street line along Trade Street and the street leading to Godshaw Hill, in the town of Tryon in front of the property of W. B. Hodges, known as the Gulf Filling Station property, and to quitclaim title to any part of said property beyond the street line as so determined, with a favorable report.

H. B. 165, a bill to allow the deputy sheriffs and constables of Davie County a fee for the capture of illegally possessed or transported tax-paid liquor, with a favorable report.

H. B. 190, a bill to amend Section 1293 of Volume 1, Consolidated Statutes of 1919, relative to the number of commissioners of Lee County, with a favorable report.

H. B. 205, a bill to repeal the charter of the town of Nebo in McDowell County, North Carolina, and to provide machinery for the liquidation and disposition of the assets of said town, with a favorable report.

H. B. 208, a bill to amend Chapter 141 of the Public Local Laws of 1925, relating to the appointment of a tax supervisor and purchasing agent of Surry County, with a favorable report.

H. B. 210, a bill to repeal Chapter 34 of the Public Laws of 1941, relating only to the method of electing county commissioners in Person County, with a favorable report.

H. B. 215, a bill to amend Chapter 222 of the Private Laws of 1893, relating to the charter of the town of Grimesland in Pitt County, with a favorable report.

Upon motion of Senator Lanier, the bill is re-referred to Committee on Counties, Cities and Towns.

H. B. 259, a bill to amend Consolidated Statutes 65 (a), Volume 3, 1924, as amended, so as to include Yancey County under the provisions thereof, with a favorable report.

By Senator Palmer, for the Committee on Salaries and Fees:

H. B. 89, a bill to fix the salary of the mayor of the town of Windsor, with a favorable report.



H. B. 120, a bill to regulate the compensation of members of the county board of health in Cumberland County, with a favorable report.

H. B. 137, a bill to amend Chapter 283 of the Public Local Laws of 1941, relating to the per diem compensation of the chairman of the board of county commissioners of Swain County, with a favorable report.

H. B. 184, a bill to fix the salaries of the judge, solicitor and clerk of the recorder's court of Chowan County and to fix certain costs of the said court, with a favorable report.

H. B. 187, a bill to fix the compensation of the chief deputy sheriff of Yancey County, with a favorable report.

H. B. 197, a bill to provide for the election of a tax collector in Brunswick County, to fix the salary therefor, and to provide for assistants, with an unfavorable report.

By Senator Blythe, for the Committee on Public Health:

S. B. 95, a bill to create a board of naturopathic examiners and to regulate the practice of naturopathy and to provide penalties for violation of this act, and to prohibit the practice of any other mode or system under the name of naturopathy, with a favorable report.

S. B. 99, a bill to amend Chapter 64 of the Public Laws of 1935, relating to ordinances for the public health of the State, to bring the city of Reidsville within the provisions of the act, with a favorable report.

H. B. 110, a bill to authorize the post-mortem examination of certain feeble-minded and insane persons, with a favorable report.

H. B. 174, a bill to amend Sections 6785 through 6790 of Article XIII of the Consolidated Statutes, as amended, regulating the procuring and distribution of dead bodies for the promotion of medical science, with a favorable report.

By Senator Benton, for the Committee on Institutions for the Blind:

S. B. 93, a bill to amend Consolidated Statutes, Section 5880, prescribing the qualifications of the Superintendent of the State School for the Blind and Deaf at Raleigh, with a favorable report.

H. B. 228, a bill to enable blind persons to be accompanied by their seeing-eye guide dogs in all public conveyances and in all places of public accommodations, with a favorable report.

By Senator Larkins, for the Committee on Unemployment Compensation:

S. B. 120, a bill to amend Section 16, Subsection (b) of Chapter 1, Public Laws of 1936, Extra Session, known as the Unemployment Compensation Law, with a favorable report.

By Senators Clark, McKee and Johnson of Duplin, for the Committee on Mental Institutions:

S. B. 129, a bill to amend Chapter 103 and Article 12 of Chapter 96 of the Consolidated Statutes of North Carolina, relating to the management of the State Hospital at Goldsboro and the Caswell Training School at Kinston, to provide for the appointment of a unified board of directors for such institutions and to provide for

the appointment of a general superintendent of mental hygiene, with a favorable report, as amended.

By Senator Cherry, for the Committee on Public Roads:

S. B. 138, a bill to provide for exchanges of bonds of the State which are held in the Sinking Funds under the control of the Sinking Fund Commission, and for the cancellation of certain highway bonds held in the Sinking Funds for such bonds, with a favorable report.

S. B. 139, a bill to authorize the issuance of highway bonds of the State, with a favorable report.

H. B. 71, a bill to extend the emergency power granted the State Highway and Public Works Commission by Chapter 4 of the Public Laws of 1941 for an additional two years, with a favorable report.

H. B. 74, a bill providing for the assumption by Pender County of road bonds of Caswell Township and Columbia Township in said county, with a favorable report.

H. B. 236, a bill to amend Subsection 5 of Section 24 of Chapter 145 of the Public Laws of 1931, as amended by Chapter 16 of the Public Laws of 1941, relating to gasoline road tax refunds, with a favorable report.

By Senator Lanier, for the Committee on Propositions and Grievances:

H. B. 209, a bill to provide for registration of pistols and similar firearms by owners thereof in Person County, with a favorable report.

H. B. 276, a bill to amend Chapter 135, Public Laws of 1941, relative to allotting a portion of the alcoholic beverage fund to Wilmington port development, with a favorable report.

S. B. 111, a bill to prohibit the sale of wine, beer, or other intoxicating beverage at any place in Lincoln County within one-half mile of a church or public school building, with a favorable report.

H. B. 283, a bill amending Chapter 469, Public Local Laws of North Carolina, Session of 1937, relative to the disposition of the proceeds derived from ABC stores in the County of Durham, with a favorable report.

By Senator Johnson of Duplin, for the Committee on Judiciary No. 1:

S. B. 46, a bill with reference to public liability of sheriffs on account of acts of special deputies appointed on account of the war emergency, and with reference to the workman's compensation for liability on account of such deputy sheriffs, with a favorable report, as amended.

S. B. 162, a bill to amend Chapter 242 of the Public Laws of 1937, same being "An Act to provide educational advantages in state institutions to world war orphans," with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Pittman: S. R. 168, a resolution to authorize the appointment of the special committee with reference to the financial affairs of the Atlantic and North Carolina Railroad.



Upon motion of Senator Pittman, the resolution is taken up for immediate consideration.

The resolution is unanimously adopted.

Pursuant to the above resolution, the President appoints as a committee thereunder Senators Pittman, Eagles, and Smith.

By Senator Ruark: S. B. 169, a bill to amend Chapter 34 of the Public Laws of 1931, relating to the appointment of a county accountant for Brunswick County.

Referred to Committee on Judiciary No. 2.

By Senator Weathers: S. B. 170, a bill to amend Section 4925 (q) of Volume 3 of the Consolidated Statutes of North Carolina, as amended by Chapter 337 of the Public Laws of 1941.

Referred to Committee on Insurance.

By Senator Sanders: S. B. 171, a bill to empower the county commissioners of Alamance County to make an appropriation for assisting in the erection of a memorial and improving a memorial cemetery for certain war veterans.

Referred to Committee on Judiciary No. 2.

By Senator Sanders: S. B. 172, a bill relative to the election of trustees for Alamance County Public Hospital.

Referred to Committee on Judiciary No. 2.

By Senator Sanders: S. B. 173, a bill authorizing the county of Alamance to issue hospital bonds under the provisions of the county finance act, as amended.

Referred to Committee on Finance.

By Senator Whitaker: S. B. 174, a bill to fix the membership of the board of education of Graham County.

Referred to Committee on Education.

By Senator Wade: S. B. 175, a bill to amend Chapter 357 of the Public Laws of 1941, relating to retirements for employees of counties, cities and towns, so as to make Section 9A inapplicable to New Hanover County and the city of Wilmington.

Referred to Committee on Counties, Cities and Towns.

By Senator Wade: S. B. 176, a bill to amend the North Carolina local governmental employees' retirement system, the same being Chapter 390 of the Public Laws of 1939, as amended, by changing certain dates therein.

Referred to Committee on Counties, Cities and Towns.

By Senators Watson, Ballentine, Johnson of Halifax, Blythe, Daniel, Evans and Horton: S. B. 177, a bill to amend Chapter 257 of the Public Laws of 1939, establishing the North Carolina Cape Hatteras Seashore Commission, and to provide for the continued functioning of same.

Referred to Committee on Conservation and Development.

By Senator Brooks: S. B. 178, a bill to authorize the Governor to appoint a commission to study and make reports and recommendations to the General Assembly with respect to the domestic relations laws of the State of North Carolina.

Referred to Committee on Judiciary No. 1.

By Senator Cole: S. B. 179, a bill to amend Chapter 74, Private

Laws of North Carolina, Extra Session 1913, relating to the incorporation of the town of Norman, Richmond County.

Referred to Committee on Finance.

By Senator Harrelson: S. B. 180, a bill to change the boundaries of Williams Township and South Williams Township election precincts in Columbus County by transferring Black Creek school district to South Williams Township precinct.

Referred to Committee on Election Laws.

By Senator Eagles: S. B. 181, a bill to amend Chapter 58, Public Laws of 1925, as amended by Chapter 328 of the Public Laws of 1931, pertaining to the definition of group life insurance.

Referred to Committee on Insurance.

By Senator Eagles: S. B. 182, a bill to amend the charter of the town of Wilson, N. C., so as to provide for the general election of elective municipal officials.

Referred to Committee on Counties, Cities and Towns.

By Senator Mitchell: S. B. 183, a bill to amend Chapter 243 of the Private Laws of 1911, the charter of the city of Statesville, so as to increase the costs allowed in the mayor's court of the city of Statesville.

Referred to Committee on Counties, Cities and Towns.

By Senator Currie: S. B. 184, a bill relating to the compensation of the clerk of the Superior Court and the register of deeds of Moore County.

Referred to Committee on Salaries and Fees.

By Senator Matheny: S. B. 185, a bill to regulate the salaries of all employees of Rutherford County except the elective officials.

Referred to Committee on Salaries and Fees.

By Senator Lanier: S. B. 186, a bill to amend Chapter 222 of the Private Laws of 1893 relating to the charter of the town of Grimesland in Pitt County.

Referred to Committee on Judiciary No. 1.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 144, a bill to control the production, importation, exportation, transportation and sale of wine, and to amend and repeal existing laws in conflict with this act.

Referred to Committee on Finance.

H. B. 164, a bill to amend Chapter 120, Section 38, of the Public Laws of 1929, relating to the amount of compensation paid to dependents of a deceased employee so as to give those who are both partly dependent and next of kin as defined in said act an election as to benefits.

Referred to Committee on Unemployment Compensation.

H. B. 222, a bill to authorize the use of school busses for the transportation of the North Carolina State Guard or the National Guard to and from places of encampment when ordered by the Governor.

Referred to Committee on Education.



H. B. 223, a bill to fix the age limits for membership in the North Carolina State Guard.

Referred to Committee on Military Affairs.

H. B. 257, a bill to provide for a simpler form of corporate acknowledgment.

Referred to Committee on Judiciary No. 2.

H. B. 284, a bill to amend Chapter 225, Public Laws of 1923 entitled, "An Act to provide for the supervision and examination of industrial banks by the Corporation Commission," as amended, so as to provide additional powers to those provided in Section 6 of said Act.

Referred to Committee on Banks and Currency.

H. B. 285, a bill to amend Chapter 154, Public Laws of 1937 adding a new paragraph to Section 220 (a) of the Consolidated Statutes regulating the making of loans generally referred to as personal loans, so as to authorize commercial banks to make personal or industrial loans in the same manner as industrial banks.

Referred to Committee on Banks and Currency.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 148, a bill to provide for a special election to determine the levy of a special annual tax in Alexander County for the establishment, maintenance and support of public libraries, upon second reading.

The bill passes its second reading by roll call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Benton, Blythe, Brown, Carlyle, Chaffin, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Weathers, Wilson—44.

S. B. 102, a bill to amend Section 956 of the Consolidated Statutes of North Carolina so as to regulate the filing of annual reports by the clerk of the Superior Court of Rockingham County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 127, a bill to authorize the board of aldermen of the town of Canton, Haywood County, to regulate the prices charged by persons operating vehicles for hire in the town, except those under the jurisdiction of the Utilities Commission of North Carolina.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 128, a bill to amend Chapter 368 of the Public Local Laws of North Carolina of 1911 and Acts amendatory thereto, giving the Canton police court jurisdiction over property owned by the town

of Canton in Haywood County and outside the corporate limits of the town of Canton.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 133, a bill relating to the term of office of the treasurer of Mecklenburg County, and the salaries of the register of deeds, chairman of the board of county commissioners, and the collector of revenue of Mecklenburg County.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 32, a bill to require the board of county commissioners of Currituck County to publish the minutes of its meetings in some newspaper circulated in the county.

Upon motion of Senator Sanders, the bill is re-referred to Committee on Judiciary No. 2.

H. B. 39, a bill to amend Section 4458 of the Consolidated Statutes, so as to regulate the punishment for public drunkenness in Mecklenburg County.

Senator Weathers offers an amendment.

Senator Watkins offers an amendment.

Upon motion of Senator Johnson of Duplin, the bill and amendments are re-referred to Judiciary No. 1.

H. B. 90, a bill to amend Section 1864 of Volume 3 of the Consolidated Statutes of 1924 to make said Section applicable to Caswell County.

Passes its second and third readings and is ordered enrolled.

H. B. 129, a bill to permit the board of commissioners of Guilford County to pay the premiums on the bonds of deputy sheriffs and constables.

Passes its second and third readings and is ordered enrolled.

H. B. 142, a bill to repeal Chapter 430 of the Public Local Laws of 1937 in order that the nomination and election of members of the Burke County board of education may be again placed under the operation of the general statutes of North Carolina governing the nomination and election of county boards of education.

Passes its second and third readings and is ordered enrolled.

H. B. 173, a bill to repeal Section 9 of Chapter 623 of the Public Local Laws of 1927, relative to the issuance of bonds of Randolph County.

Passes its second and third readings and is ordered enrolled.

H. B. 176, a bill to amend Chapter 40 of the Public Local Laws of 1929, relating to the laws of landlords and tenants, so that the county of Hoke shall be included thereunder.

Passes its second and third readings and is ordered enrolled.

H. B. 177, a bill to amend Section 2366 of the Consolidated Statutes of North Carolina, the same being a part of the laws governing landlords and tenants, so as to include the county of Hoke thereunder.

Passes its second and third readings and is ordered enrolled.

H. B. 185, a bill to allow the board of county commissioners of Onslow County, in its discretion, to revalue and readjust all real estate and personal property values during the year 1943.



Passes its second and third readings and is ordered enrolled.

H. B. 188, a bill to appoint trustees of the Tryon-Saluda administrative school unit.

Passes its second and third readings and is ordered enrolled.

H. B. 204, a bill to amend the charter of the city of Hickory so as to grant persons living without the corporate limits but within the boundaries of the Hickory city administrative school unit the right to vote for the election of school trustees.

Passes its second and third readings and is ordered enrolled.

H. B. 235, a bill to amend Chapter 56 of the Public Local Laws of 1939 so as to authorize the county commissioners of Wayne County to turn into the general fund of the county all taxes collected for the year 1935 and all prior years.

Passes its second and third readings and is ordered enrolled.

H. B. 238, a bill to amend Chapter 87 of the Public Local Laws of 1935, relating to the service of grand jurors in Franklin County.

Passes its second and third readings and is ordered enrolled.

H. B. 241, a bill to provide for the election of a county surveyor for Robeson County quadrennially.

Passes its second and third readings and is ordered enrolled.

H. B. 265, a bill to amend Section 2366 of the Consolidated Statutes, as amended, providing for dispossession of tenants for refusal to perform contracts in certain counties, to include in counties therein listed the county of Brunswick.

The bill passes its second reading.

Upon objection by Senator Ruark to its third reading the bill remains upon the Calendar.

H. B. 266, a bill creating five districts for the nomination of members of the board of education of Moore County.

Passes its second and third readings and is ordered enrolled.

S. B. 27, a bill to amend Chapter 25 of the Public Laws of 1941, creating a Teachers and State Employees Retirement System in North Carolina.

The amendments offered by the Committee, held to be material, are adopted, constituting the first reading of the bill and the bill takes its place on the second reading roll call Calendar.

S. B. 132, a bill authorizing counties to establish capital reserve funds, upon second reading.

The bill passes its second reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Carlyle, Chaffin, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, Mitchell, O'Berry, Pittman, Poin-dexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Weathers, Whitaker, Wilson—43.

S. B. 137, a bill to authorize the issuance of notes of the State for the purpose of paying appropriations, upon second reading.

The bill passes its second reading by roll call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brock, Carlyle, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, Mitchell, O'Berry, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Weathers, Whitaker, Wilson—40.

S. B. 147, a bill to extend the time within which bonds of counties and municipalities heretofore authorized may be issued, upon second reading.

The bill passes its second reading by roll call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brock, Brooks, Carlyle, Chaffin, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, Mitchell, O'Berry, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Weathers, Whitaker, Wilson—41.

H. B. 114, a bill to declare valid and legal the creation, establishment and organization of housing authorities, and all bonds, notes, agreements and undertakings of such housing authorities, and all proceedings, acts and things heretofore undertaken or done with reference thereto, upon second reading.

The bill passes its second reading by roll call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brock, Brooks, Carlyle, Chaffin, Clark, Cole, Currie, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, Mitchell, O'Berry, Palmer, Pittman, Price, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Weathers, Whitaker, Wilson—40.

H. B. 115, a bill to amend Chapter 63 of the Public Laws of 1941 to extend the time in which the development of projects may be initiated thereunder, upon second reading.

The bill passes its second reading by roll call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Carlyle, Chaffin, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, Mitchell, O'Berry, Palmer, Pittman, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Weathers, Whitaker, Wilson—42.

S. B. 30, a bill to authorize the conveyance by the State of North Carolina of a lot fifty feet square of the Battlefield near Appomattox Court House to the United States of America for addition to the Appomattox Court House National Historical Monument.

Passes its second and third readings and is ordered sent to the House of Representatives.



S. B. 31, a bill to amend Section 3316 of the Consolidated Statutes of 1919, relating to the registration of deeds or agreements for right-of-ways and easements.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 71, a bill to amend Section 16 of Chapter 33 of the Public Laws of 1929, relating to the commitment of veterans to United States Government Hospitals.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 84, a bill to amend Chapter 25 of the Public Laws of 1941 creating a Teachers and State Employees Retirement System in North Carolina, to permit the board of trustees to make regulations preventing injustices and inequalities not otherwise covered by the Act and to permit the re-employment of teachers and state employees who have been retired on account of age when needed during any emergency.

Upon motion of Senator Barber, action on the bill is deferred until tomorrow.

S. R. 94, a joint resolution memorializing the Congress of the United States to enact legislation relating to Daylight Saving or War Time.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 107, a bill validating summons designated alias or pluries summons, though not actually such, on which judgments or other final decrees have been entered.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 115, a bill to repeal Section 1343 of the Consolidated Statutes relating to the removal of indigent to county of settlement; maintenance; penalties.

The bill passes its second reading.

Upon objection by Senator O'Berry to its third reading, the bill remains upon the Calendar.

Upon motion of Senator O'Berry, the Senate adjourns to meet tomorrow at 12 o'clock M.

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### THIRTY-THIRD DAY

SENATE CHAMBER,

Friday, February 12, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by A. S. Parker, District Superintendent of the Wilmington District of the Methodist Church.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The President extends the courtesies of the lobby to Mrs. John D. Larkins, Jr., wife of Senator Larkins of Jones County, and her sister, Mrs. M. C. Reid, Jr.

Upon motion of Senator Blythe, the courtesies of the lobby are extended to Lieutenant Harry M. C. Hewson of Mecklenburg County.

Upon motion of Senator Ballentine, the courtesies of the galleries are extended to the Seventh Grade of Murphy School of Raleigh, N. C., and their teacher, Mrs. Carrie C. Goodwin.

Upon motion of Senator Price, the courtesies of the galleries are extended to Lieutenant-Colonel Paul Carter and his daughter, Miss Grace Carter, of Rockingham County.

Upon motion of Senator Johnson of Halifax, the courtesies of the lobby are extended to A. L. Hux, President of the Young Democratic Clubs of North Carolina.

The President extends the courtesies of the lobby to Charles A. Cannon, member of the State Highway Commission.

#### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 90, an act to amend Section 1864 of Volume 3 of the Consolidated Statutes of 1924, to make said Section applicable to Caswell County.

H. B. 129, an act to permit the board of commissioners of Guilford County to pay the premiums on the bonds of deputy sheriffs and constables.

H. B. 142, an act to repeal Chapter 430 of the Public Local Laws of 1937 in order that the nomination and election of members of the Burke County Board of Education may be again placed under the operation of the General Statutes of North Carolina governing the nomination and election of county boards of education.

H. B. 173, an act to repeal Section 9 of Chapter 623 of the Public Local Laws of 1927, relative to the issuance of bonds on Randolph County.

H. B. 176, an act to amend Chapter 40 of the Public Local Laws of 1929, relating to the laws of landlords and tenants, so that the county of Hoke shall be included thereunder.

H. B. 177, an act to amend Section 2366 of the Consolidated Statutes of North Carolina, the same being a part of the laws governing landlords and tenants, so as to include the county of Hoke thereunder.

H. B. 185, an act to allow the board of county commissioners of Onslow County, in its discretion, to revalue and readjust all real estate and personal property values during the year 1943.

H. B. 188, an act to appoint trustees of the Tryon-Saluda Administrative School Unit.

H. B. 204, an act to amend the charter of the city of Hickory so as to grant persons living without the corporate limits but within the boundaries of the Hickory City Administrative School Unit the right to vote for the election of school trustees.



H. B. 235, an act to amend Chapter 56 of the Public Local Laws of 1939 so as to authorize the county commissioners of Wayne County to turn into the general fund of the county all taxes collected for the year 1935 and all prior years.

H. B. 238, an act to amend Chapter 87 of the Public Local Laws of 1935, relating to the service of grand jurors in Franklin County.

H. B. 241, an act to provide for the election of a county surveyor for Robeson County quadrennially.

H. B. 266, an act creating five districts for the nomination of members of the board of education of Moore County.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Watkins, for the Committee on Counties, Cities and Towns:

H. B. 211, a bill to amend Chapter 295, Private Laws, 1903, as amended by Chapter 264, Private Laws of 1915, as amended by Chapter 200, Private Laws of 1939, relative to the term of office of the mayor and commissioners of the town of Hertford in Perquimans County, North Carolina, with a favorable report.

H. B. 169, a bill to repeal Chapter 237 of the Public Local Laws of 1935, relating to the election of county commissioners in Hyde County, and to require such commissioners in Hyde County to be elected pursuant to the General Law, with a favorable report.

H. B. 229, a bill to fix the salaries of the mayor and commissioners of the town of Aulander, with a favorable report.

H. B. 273, a bill to authorize the employment of a full or part-time chairman of the board of county commissioners of Bladen County, with a favorable report.

By Senator Johnson of Duplin, for the Committee on Judiciary No. 1:

S. B. 86, a bill to amend Chapter 179 of the Public Laws of 1933, regulating the practice of cosmetic art, to provide for the renewal of certificates of retired operators, with a favorable report.

S. B. 110, a bill to amend Section 198 of the Consolidated Statutes of North Carolina, as amended, relating to the practice of law by justices of the peace, so as to allow attorneys in Lincoln County to serve as justices, with an unfavorable report.

S. B. 116, a bill to provide for the registration of pistols and similar firearms by the owners thereof in Durham County, with an unfavorable report.

H. B. 39, a bill to amend Section 4458 of the Consolidated Statutes, so as to regulate the punishment for public drunkenness in Mecklenburg County, with an unfavorable report.

Upon motion of Senator Blythe, the bill is taken from the unfavorable Calendar and re-referred to the Committee on Judiciary No. 1.

S. B. 151, a bill for the adoption of a State bird, with a favorable report.

S. B. 149, a bill to amend Section 5062 of Volume 2 of the Consolidated Statutes of 1919, as amended by Chapter 193 of the Public Laws of 1923, relating to city juvenile courts and probation officers, with a favorable report.

S. B. 186, a bill to amend Chapter 222 of the Private Laws of 1893, relating to the charter of the town of Grimesland in Pitt County, with a favorable report.

S. B. 155, a bill to permit executors, administrators C. T. A., trustees and guardians to invest certain funds held by them in the specified types of insurance, with a favorable report.

H. B. 200, a bill to amend Section 492 of the Consolidated Statutes, relating to the defense of actions after judgment on substituted service by exempting actions for the foreclosure of county and municipal taxes from the operation of said Section, with an unfavorable report.

By Senator Brooks, for the Committee on Constitutional Amendments:

S. B. 29, a bill to amend the Constitution providing for the organization of the State Board of Education, with an unfavorable report as to bill, but favorable as to substitute offered by the Committee.

By Senator Horton, for the Committee on Education:

H. B. 252, a bill to amend Section 5828 of the Consolidated Statutes of North Carolina and to provide for appointment of trustees of the Negro Agricultural and Technical College of North Carolina, with a favorable report.

By Senator Ballentine, for the Committee on Conservation and Development:

S. B. 177, a bill to amend Chapter 257 of the Public Laws of 1939, establishing the North Carolina Cape Hatteras Seashore Commission, and to provide for the continued functioning of same, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Chaffin: S. B. 187, a bill to make it unlawful for any person to injure fire fighting apparatus in Harnett County.

Referred to Committee on Propositions and Grievances.

By Senator Johnson of Duplin: S. B. 188, a bill to amend Section 483 of the Consolidated Statutes of North Carolina, as amended, relating to the service of process in civil actions.

Referred to Committee on Judiciary No. 1.

By Senator Wallace: S. B. 189, a bill authorizing the transfer of certain assets to the general funds of Montgomery County.

Referred to Committee on Finance.

By Senator Wallace: S. B. 190, a bill to repeal Chapter 208 of the Public Local Laws of 1925 relative to the issuance of bonds by the governing bodies within Montgomery County.

Referred to Committee on Finance.

By Senator Johnson of Halifax: S. B. 191, a bill to place all schools in Halifax Township under the supervision, control and direction of the Halifax County Board of Education.



Referred to Committee on Education.

By Senator McKee: S. B. 192, a bill making an appropriation to the North Carolina State Art Society, Incorporated.

Referred to Committee on Appropriations.

By Senator Brooks: S. B. 193, a bill providing for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously, and to make uniform the law with reference thereto.

Referred to Committee on Judiciary No. 1.

By Senator Brooks: S. B. 194, a bill concerning composite reports as evidence and making uniform the law with reference thereto.

Referred to Committee on Judiciary No. 1.

By Senator Brooks: S. B. 195, a bill concerning official reports as evidence and making uniform the law with reference thereto.

Referred to Committee on Judiciary No. 1.

By Senator Brooks: S. B. 196, a bill concerning the judicial notice of the laws of other jurisdictions and concerning proof thereof and making uniform the law with reference thereto.

Referred to Committee on Judiciary No. 1.

By Senator Brooks: S. B. 197, a bill concerning business records as evidence and making uniform the law with reference thereto.

Referred to Committee on Judiciary No. 1.

By Senators Whitaker, Hodges, Bailey and McKee: S. B. 198, a bill to authorize the Governor and Council of State to cooperate and assist in the acquisition of additional land in connection with the Great Smoky Mountain National Park.

Referred to Committee on Public Roads.

By Senator Clark: S. B. 199, a bill to amend Chapter 258, Public Local Laws of 1933, as amended, entitled "An Act to regulate the duties of sheriff of Edgecombe County and establish office of tax collector of Edgecombe County," to increase salaries of sheriff and deputy sheriffs of Edgecombe County.

Referred to Committee on Counties, Cities and Towns.

By Senator Mitchell: S. R. 200, a joint resolution authorizing an investigation of feebleminded negroes in the Goldsboro State Hospital and other places, and providing for a report and making of recommendations with respect thereto.

Referred to Committee on Judiciary No. 1.

By Senator Eagles: S. B. 201, a bill so as to permit the giving of surety bonds or undertakings authorizing joint control.

Referred to Committee on Insurance.

By Senator Funderburk: S. B. 202, a bill to repeal the Tax Research Department as contained in Chapter 327, Public Laws of 1941.

Referred to Committee on Judiciary No. 1.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 40, a bill to allow instruments to be proved or acknowledged before certain Army, Navy, Coast Guard, Marine and Merchant Marine officers, and to validate such proofs or acknowledgments heretofore taken.

Referred to Committee on Judiciary No. 2.

H. B. 41, a bill to allow the taking of depositions by officers of the United States Army, Navy, Coast Guard, Marine Corps and Merchant Marine.

Referred to Committee on Judiciary No. 2.

H. B. 131, a bill to provide for the appointment, salary and duties of an Assistant Solicitor for the Twelfth Judicial District to assist in the prosecution of the criminal docket for the Superior Court of Guilford County.

Referred to Committee on Counties, Cities and Towns.

H. B. 140, a bill to amend Section 1443 of Volume 1 of the Consolidated Statutes of 1919, as amended, relating to the terms of court in Avery County.

Referred to Committee on Courts and Judicial Districts.

H. B. 145, a bill to amend Section 7982 of Volume 2 of the Consolidated Statutes of North Carolina of 1919, relating to forfeiture of life estate in real estate for failure to pay taxes.

Referred to Committee on Judiciary No. 1.

H. B. 261, a bill to fix the fees of jurors in Martin County.

Referred to Committee on Salaries and Fees.

H. B. 264, a bill to amend Chapter 243 of the Public Local Laws of 1911, relating to the Cleveland County Court, and to make provisions with respect to a Kings Mountain Recorder's Court.

Referred to Committee on Courts and Judicial Districts.

H. B. 274, a bill to fix the salaries and compensation of certain officers of Bladen County by amending Chapter 398, Public Local Laws of 1933.

Referred to Committee on Salaries and Fees.

H. B. 288, a bill to provide for the transfer of cases from the recorder's court of Tyrrell County to the Superior Court when jury trials are requested.

Referred to Committee on Courts and Judicial Districts.

H. B. 290, a bill to fix the salary of and to provide for a four year term of office for the treasurer of Rutherford County.

Referred to Committee on Salaries and Fees.

H. B. 293, a bill to repeal Chapter 246 of the Public Local Laws of Session 1935, relating to the salary of the constable of Wilmington Township, New Hanover County.

Referred to Committee on Salaries and Fees.

H. B. 311, a bill to amend Chapter 762 of the Public Local Laws of 1915, relating to the drawing of jurors in the recorder's court of Warren County.

Referred to Committee on Courts and Judicial Districts.

H. B. 316, a bill to fix the Hertford County jailer's allowance for prisoners board, and to fix the turnkey fee.

Referred to Committee on Salaries and Fees.



H. B. 332, a bill to fix the salary of the county accountant in Clay County.

Referred to Committee on Salaries and Fees.

H. B. 338, a bill to amend Chapter 385 of the Public Local Laws of 1921, relating to pensions for school teachers in New Hanover County, to provide that any payment from the State Retirement System Fund be deducted from the pension allowed by the county, and to change date of payments.

Referred to Committee on Education.

H. B. 344, a bill to provide for the setting of the salary of the deputy sheriff of Franklin County.

Referred to Committee on Salaries and Fees.

H. B. 345, a bill to amend Chapter 139 of the Public Local Laws of 1935 and Chapter 261 of the Public Local Laws of 1937, relating to the salary of the register of deeds and deputy register of deeds of Franklin County.

Referred to Committee on Salaries and Fees.

H. B. 365, a bill to authorize the employment of a county superintendent of schools in Tyrrell County during the present emergency.

Referred to Committee on Education.

H. B. 367, a bill to fix the jury fees for the Washington County recorder's court.

Referred to Committee on Courts and Judicial Districts.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 148, a bill to provide for a special election to determine the levy of a special annual tax in Alexander County for the establishment, maintenance and support of public libraries, upon third reading.

The bill passes its third reading by roll call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker—44.

The bill is ordered sent to the House of Representatives.

S. B. 99, a bill to amend Chapter 64 of the Public Laws of 1935, relating to ordinances for the public health of the State, to bring the city of Reidsville within the provision of the Act, upon second reading.

The bill passes its second reading by roll call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin,

Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker—44.

S. B. 122, a bill to amend Chapter 201 of the Private Laws of 1915, being the charter of the town of Warrenton, upon second reading.

The bill passes its second reading by roll call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker—44.

S. B. 141, a bill to amend Chapter 376 of the Private Laws of 1941 of North Carolina, changing the corporate limits of the town of Canton, upon second reading.

The bill passes its second reading by roll call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker—44.

S. B. 158, a bill to amend Chapter 107 of the Public Local and Private Laws of 1931 entitled "An Act to amend Chapter 395 of the Public Local Laws of 1909 and all Acts amendatory thereof, relating to the city charter of the city of High Point," upon second reading.

The bill passes its second reading by roll call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker—44.

S. B. 159, a bill to authorize the city of High Point to make additional appropriations after the adoption of the budget in any fiscal year, upon second reading.

The bill passes its second reading by roll call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee,



O'Berry, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker—44.

H. B. 74, a bill providing for the assumption by Pender County of road bonds of Caswell Township and Columbia Township in said county, upon second reading.

The bill passes its second reading by roll call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker—44.

H. B. 207, a bill to authorize the board of county commissioners of Randolph County to complete the quadrennial assessment of real property for taxation in the year 1943, and validating actions taken heretofore with respect thereto, upon second reading.

The bill passes its second reading by roll call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker—44.

H. B. 243, a bill to validate the establishment of Cumberland County drainage district No. 3 and to validate the proceedings taken by the board of drainage commissioners of said district to authorize refunding bonds to refund outstanding bonds of said district and to provide for the payments of such refunding bonds and the administration of the affairs of said district, upon second reading.

The bill passes its second reading by roll call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker—44.

H. B. 258, a bill to amend Chapter 343 of the Public Local and Private Laws of 1941 to enlarge and extend the corporate limits of the town of Jacksonville, North Carolina, so as to include the development known and designated as Overbrook, upon second reading.

The bill passes its second reading by roll call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brooks, Brown, Carlyle, Chaffin, Cherry,

Clark, Cole, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker—44.

H. B. 265, a bill to amend Section 2366 of the Consolidated Statutes, as amended, providing for dispossession of tenants for refusal to perform contracts in certain counties, to include in counties therein listed the county of Brunswick.

Passes its third reading and is ordered enrolled.

S. B. 101, a bill authorizing and empowering the board of county commissioners of Rockingham County to employ and regulate the salaries of deputy clerks of the Superior Court and other clerical employees.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 111, a bill to prohibit the sale of wine, beer or other intoxicating beverage at any place in Lincoln County within one-half mile of a church or public school building.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 119, a bill to regulate the pay and prescribe the duties of the sheriff and the deputy sheriffs of Guilford County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 131, a bill to change the name of "town of Albemarle," set forth in Chapter 384 of Private Laws of 1911, to "city of Albemarle," and provide for the compensation of the commissioners of said city.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 135, a bill to fix the term of office of the board of county commissioners of Graham County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 140, a bill to repeal Chapter 43 of the Private Laws of the State of North Carolina, 1885, this being "An Act to repeal the charter of the town of Mooresboro."

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 146, a bill to authorize any police officer of the rank of sergeant, or of higher rank, who is assigned to day or night duty as the desk officer in the city of Statesville, to issue warrants.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 153, a bill to provide for the staggering of the terms of county commissioners in Montgomery County, and to provide for the election of county commissioners for a period of four years, and to further extend the term of county commissioner D. J. McLeod, and to fix the salary of county commissioners.



Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 157, a bill to create an additional commissioner's district for the county of Robeson to be known as district No. 6.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 160, a bill to amend Chapter 251 of the Public Local and Private Laws of 1941, entitled "An Act relating to the sale of certain land by the city of High Point."

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 164, a bill relating to the compensation of the members of certain county boards in Moore County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 165, a bill authorizing the payment of compensation to the chairman and members of the draft and rationing boards of Moore County, and the payment of certain expenses of said boards.

Upon motion of Senator Currie, action on the bill is postponed indefinitely.

H. B. 14, a bill to repeal Chapter 101 of the Public Local Laws of 1939, the same being "An Act to require the sheriff of Currituck County to appoint a deputy sheriff for the Moyock Township in said County."

Passes its second and third readings and is ordered enrolled.

H. B. 89, a bill to fix the salary of the mayor of the town of Windsor.

Passes its second and third readings and is ordered enrolled.

H. B. 112, a bill to require the county commissioners of Graham County to sell county property only at public auction and after giving notice.

Passes its second and third readings and is ordered enrolled.

H. B. 120, a bill to regulate the compensation of members of the county board of health in Cumberland County.

Passes its second and third readings and is ordered enrolled.

H. B. 128, a bill to abolish the office of tax collector in Guilford County, and to consolidate the duties of tax collector and tax supervisor.

Passes its second and third readings and is ordered enrolled.

H. B. 136, a bill to amend Chapter 415 of the Public Local Laws of 1941, relating to the transfer of the duties of tax collector to the county accountant of Swain County.

Passes its second and third readings and is ordered enrolled.

H. B. 137, a bill to amend Chapter 283 of the Public Local Laws of 1941, relating to the per diem compensation of the chairman of the board of county commissioners of Swain County.

Passes its second and third readings and is ordered enrolled.

H. B. 151, a bill to authorize and empower the commissioners of the town of Tryon to locate and determine the street line along Trade Street and the street leading to Godshaw Hill, in the town of Tryon, in front of the property of W. B. Hodges, known as the Gulf Filling Sta-

tion property, and to quitclaim title to any part of said property beyond the street line as so determined.

Passes its second and third readings and is ordered enrolled.

H. B. 165, a bill to allow the deputy sheriffs and constables of Davie County a fee for the capture of illegally possessed or transported tax-paid liquor.

Passes its second and third readings and is ordered enrolled.

H. B. 184, a bill to fix the salaries of the judge, solicitor, and clerk of the recorder's court of Chowan County and to fix certain costs of the said court.

Passes its second and third readings and is ordered enrolled.

H. B. 187, a bill to fix the compensation of the chief deputy sheriff of Yancey County.

Passes its second and third readings and is ordered enrolled.

H. B. 190, a bill to amend Section 1293 of Volume 1, Consolidated Statutes of 1919, relative to the number of commissioners of Lee County.

Passes its second and third readings and is ordered enrolled.

H. B. 205, a bill to repeal the charter of the town of Nebo in McDowell County, North Carolina, and to provide machinery for the liquidation and disposition of the assets of said town.

Passes its second and third readings and is ordered enrolled.

H. B. 208, a bill to amend Chapter 141 of the Public Local Laws of 1925, relating to the appointment of a tax supervisor and purchasing agent of Surry County.

Upon motion of Senator Smith, action on the bill is deferred until Tuesday, February 16, 1943.

H. B. 209, a bill to provide for registration of pistols and similar firearms by owners thereof in Person County.

Passes its second and third readings and is ordered enrolled.

H. B. 210, a bill to repeal Chapter 34 of the Public Laws of 1941, relating only to the method of electing county commissioners in Person County.

Passes its second and third readings and is ordered enrolled.

H. B. 259, a bill to amend Consolidated Statutes 65 (a), Volume 3, 1924, as amended, so as to include Yancey County under the provisions thereof.

Passes its second and third readings and is ordered enrolled.

H. B. 276, a bill to amend Chapter 135, Public Laws of 1941, relative to allotting a portion of the alcoholic beverage fund to Wilmington Port Development.

Passes its second and third readings and is ordered enrolled.

H. B. 283, a bill amending Chapter 469, Public Local Laws of North Carolina, Session of 1937, relative to the disposition of the proceeds derived from ABC stores of the county of Durham.

Passes its second and third readings and is ordered enrolled.

S. B. 132, a bill authorizing counties to establish capital reserve funds, upon third reading.

The bill passes its third reading by roll call vote, ayes 44, noes 0, as follows:



Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brooks, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Ruark, Sanders, Smith, Wade, Wallace, Watkins, Watson, Weathers, Whitaker—44.

The bill is ordered sent to the House of Representatives.

S. B. 137, a bill to authorize the issuance of notes of the State for the purpose of paying appropriations, upon third reading.

The bill passes its third reading by roll call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brooks, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Ruark, Sanders, Smith, Wade, Wallace, Watkins, Watson, Weathers, Whitaker—44.

The bill is ordered sent to the House of Representatives.

S. B. 147, a bill to extend the time within which bonds of counties and municipalities heretofore authorized may be issued, upon third reading.

The bill passes its third reading by roll call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brooks, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Ruark, Sanders, Smith, Wade, Wallace, Watkins, Watson, Weathers, Whitaker—44.

The bill is ordered sent to the House of Representatives.

H. B. 114, a bill to declare valid and legal the creation, establishment and organization of housing authorities, and all bonds, notes, agreements and undertakings of such housing authorities, and all proceedings, acts and things heretofore undertaken or done with reference thereto, upon third reading.

The bill passes its third reading by roll call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brooks, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Ruark, Sanders, Smith, Wade, Wallace, Watkins, Watson, Weathers, Whitaker—44.

The bill is ordered enrolled.

H. B. 115, a bill to amend Chapter 63 of the Public Laws of 1941 to extend the time in which the development of projects may be initiated thereunder, upon third reading.

The bill passes its third reading by roll call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brooks, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Ruark, Sanders, Smith, Wade, Wallace, Watkins, Watson, Weathers, Whitaker—44.

The bill is ordered enrolled.

S. B. 27, a bill to be entitled "An Act to amend Chapter 25 of the Public Laws of 1941, creating a Teachers and State Employees Retirement System in North Carolina," upon second reading.

The bill passes its second reading by roll call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brooks, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Ruark, Sanders, Smith, Wade, Wallace, Watkins, Watson, Weathers, Whitaker—44.

S. B. 95, a bill to create a board of naturopathic examiners and to regulate the practice of naturopathy and to provide penalties for violation of this Act, and to prohibit the practice of any other mode or system under the name of naturopathy.

Upon motion of Senator Blythe, the bill is re-referred to Committee on Public Health.

S. B. 138, a bill to provide for exchanges of bonds of the State which are held in the sinking funds under the control of the Sinking Fund Commission, and for the cancellation of certain highway bonds held in the sinking funds for such bonds, upon second reading.

The bill passes its second reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brooks, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Wade, Wallace, Watkins, Watson, Whitaker—43.

S. B. 139, a bill to authorize the issuance of highway bonds of the State, upon second reading.

The bill passes its second reading by roll call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brooks, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer,



Pittman, Poindexter, Price, Ruark, Sanders, Smith, Wade, Wallace, Watkins, Watson, Whitaker—42.

S. B. 161, a bill to extend the period during which counties, cities, towns and sanitary districts may issue revenue bonds for the acquisition, construction, and reconstruction, improvement, betterment, and extension of revenue-producing undertakings as authorized by Chapter 2 of the Public Laws of the State of North Carolina, Extra Session of 1938, upon second reading.

The bill passes its second reading by roll call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brooks, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Wade, Wallace, Watkins, Watson, Weathers, Whitaker—45.

S. B. 115, a bill to repeal Section 1343 of the Consolidated Statutes, relating to the removal of indigent to county of settlement; maintenance; penalties.

Senator O'Berry offers an amendment which is adopted.

The bill, as amended, passes its third reading and is ordered sent to the House of Representatives without engrossment.

S. B. 46, a bill with reference to public liability of sheriffs on account of acts of special deputies appointed on account of the war emergency, and with reference to the workmen's compensation for liability on account of such deputy sheriffs.

The Committee offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 84, a bill to amend Chapter 25 of the Public Laws of 1941, creating a Teachers and State Employees Retirement System in North Carolina, to permit the Board of Trustees to make regulations preventing injustices and inequalities not otherwise covered by the Act and to permit the re-employment of teachers and State employees who have been retired on account of age when needed during any emergency.

Upon motion of Senator Wade, the bill is re-referred to Committee on Judiciary No. 1.

S. B. 93, a bill to amend Consolidated Statutes, Section 5880, prescribing the qualifications of the superintendent of the State School for the Blind and Deaf at Raleigh.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 120, a bill to amend Section 16, Subsection (b) of Chapter 1, Public Laws of 1936, Extra Session, known as the Unemployment Compensation Law.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 124, a bill to amend Section 1664 of the Consolidated Statutes of 1919, relating to the custody of children in divorce.

Senator Johnson of Duplin offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 126, a bill to amend Section 3294 of the Consolidated Statutes of North Carolina for the year 1919, so as to add commissioners of oaths to officials before whom instruments may be proved or acknowledged.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 129, a bill to amend Chapter 103 and Article 12 of Chapter 96 of the Consolidated Statutes of North Carolina, relating to the management of the State Hospital at Goldsboro and the Caswell Training School at Kinston to provide for the appointment of a unified board of directors for such institutions and to provide for the appointment of a general superintendent of mental hygiene.

The amendments offered by the Committee are adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives without engrossment by special messenger.

S. B. 144, a bill to amend Chapter 130 of the Public Laws of North Carolina of 1935, relating to the registration of deeds and other instruments.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. R. 152, a joint resolution amending the joint resolution empowering the Governor to appoint a special committee for the purpose of investigating the facilities of the Caswell Training School and making recommendations as to how the said facilities may be expanded.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 162, a bill to amend Chapter 242 of the Public Laws of 1937, same being "An Act to provide educational advantages in State institutions to world war orphans."

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 38, a bill to repeal Section 4436 of the Consolidated Statutes of North Carolina, relating to the seizure and disposition of property exhibited for the purpose of alluring persons to bet on any game.

Passes its second and third readings and is ordered enrolled.

H. B. 44, a bill to make more elastic the punishments for certain violations of the lottery and gaming laws of the State of North Carolina.

The bill passes its second reading.

Upon objection of Senator Gregory to its third reading, the bill remains upon the Calendar, and action on the bill is deferred until Tuesday, February 16, 1943.

H. B. 63, a bill to authorize county commissioners to provide compensation for members of rationing boards while in the actual performance of their duties.

Upon motion of Senator Horton, action on the bill is deferred until Tuesday, February 16, 1943.



H. B. 71, a bill to extend the emergency power granted the State Highway and Public Works Commission by Chapter 4 of the Public Laws of 1941 for an additional two years.

Passes its second and third readings and is ordered enrolled.

H. B. 110, a bill to authorize the post-mortem examination of certain feeble-minded and insane persons.

Passes its second and third readings and is ordered enrolled.

H. B. 160, a bill to amend Section 1 of Chapter 449 of the Public Laws of 1935, relating to investment in registered securities and deposit of same with the clerk of Superior Court, so that the bond of the guardian is reduced in proportion to the total amount of the bond as the funds expended are to the total amount of the estate.

Passes its second and third readings and is ordered enrolled.

H. B. 163, a bill to be entitled "An Act to repeal Section 5027 of the Consolidated Statutes of 1919, relating to investment of trust funds for the care of cemeteries and to empower the clerk of the Superior Court to invest such funds; and to amend Section 5028 so as to make the official bond of the clerk liable for such funds."

Passes its second and third readings and is ordered enrolled.

H. B. 174, a bill to amend Sections 6785 through 6790 of Article XIII of the Consolidated Statutes, as amended, regulating the procuring and distribution of dead bodies for the promotion of medical science.

Passes its second and third readings and is ordered enrolled.

H. B. 201, a bill to amend Chapter 149 of the Public Laws of 1927, relating to the regulation of the sale of securities within the State of North Carolina.

Passes its second and third readings and is ordered enrolled.

H. B. 203, a bill to amend Section 130 of Chapter 158 of the Public Laws of 1939, the same being the Revenue Act of 1939, as amended by Chapter 50 of the Public Laws of 1941 so as to add penny self-service machines, contributing to the visually handicapped, to those exempt from State-wide license.

Passes its second and third readings and is ordered enrolled.

H. B. 206, a bill to authorize the Secretary of State to enroll in a book, to be provided for that purpose, the Constitution of North Carolina of 1868 and all subsequent amendments thereto.

Passes its second and third readings and is ordered enrolled.

H. B. 228, a bill to enable blind persons to be accompanied by their seeing-eye guide dogs in all public conveyances and in all places of public accommodation.

Passes its second and third readings and is ordered enrolled.

H. B. 236, a bill to amend Subsection 5 of Section 24 of Chapter 145 of the Public Laws of 1931, as amended by Chapter 16 of the Public Laws of 1941, relating to gasoline road tax refunds.

Passes its second and third readings and is ordered enrolled.

H. B. 247, a bill to improve the Appalachian State Teachers College. Upon motion of Senator O'Berry, action on the bill is deferred until Monday, February 15, 1943.

Upon motion of Senator Graham, the Senate adjourns in honor of the memory of Abraham Lincoln, Sixteenth President of the United

States, to meet tomorrow at 10 o'clock, at which time only Public Local Bills will be considered, and adjournment will be until Monday evening at 8 o'clock.

### THIRTY-FOURTH DAY

SENATE CHAMBER,  
Saturday, February 13, 1943.

The Senate meets pursuant to adjournment, and in the absence of Lieutenant Governor R. L. Harris and President *pro tempore* J. Hampton Price, the Principal Clerk S. Ray Byerly call Senator L. Y. Ballentine to the Chair who calls the Senate to order and presides during the Session.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Cherry for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

### ENGROSSED BILLS

Senator Poindexter, for the Committee on Engrossed Bills, reports the following bills as properly engrossed, and the same are ordered sent to the House of Representatives.

S. B. 124, a bill to amend Section 1664 of the Consolidated Statutes of 1919, relating to the custody of children in divorce.

S. B. 46, a bill with reference to public liability of sheriffs on account of acts of special deputies appointed on account of the war emergency, and with reference to the workmen's compensation for liability on account of such deputy sheriffs.

### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 33, a bill to require the employment of adult school bus drivers in Currituck County.

Referred to Committee on Education.

H. B. 82, a bill to amend Chapter 25 of the Public Laws of 1941 creating a Teachers and State Employees Retirement System in North Carolina so as to permit the re-employment of teachers and state employees who have retired on account of age.

Referred to Committee on Education.

H. B. 194, a bill to allow the arresting officers of Wilkes County a fee for the capture of illegally possessed or illegally transported tax-paid liquor.

Referred to Committee on Counties, Cities and Towns.

H. B. 195, a bill to amend Chapter 416 of the Public Local Laws of 1939, which is "An Act to fix minimum jail fee for turnkey fee



for the sheriff of Wilkes County and to fix the custody and management of the jail of Wilkes County," in order to raise the fee therein allowed for the care of prisoners.

Referred to Committee on Counties, Cities and Towns.

H. B. 213, a bill to amend Section 65 (a) of the Consolidated Statutes of 1924, as amended, providing for payment to clerk of sums not exceeding \$300.00 due intestate, to include in counties therein provided for the county of Wilkes.

Referred to Committee on Counties, Cities and Towns.

H. B. 214, a bill to amend Subsection 2, of Section 5, Chapter 25, of the Public Laws of 1941, creating the Teachers and State Employees Retirement System.

Referred to Committee on Education.

H. B. 237, a bill to make the provisions of Chapter 8, Public Laws of 1939, known as "Veterans Employment Preference Act" applicable to the veterans of the present war.

Referred to Committee on Judiciary No. 1.

H. B. 255, a bill to validate certain trustees' deeds from which grantors' seal have been omitted.

Referred to Committee on Judiciary No. 1.

H. B. 313, a bill to amend Section 4 of Article II of the charter of the town of Morganton, relating to the compensation of aldermen of said town.

Referred to Committee on Counties, Cities and Towns.

H. B. 326, a bill to empower the board of aldermen of the city of Rocky Mount to relieve churches from paving assessments.

Referred to Committee on Counties, Cities and Towns.

H. B. 331, a bill to amend Chapter 95 of the Private Laws of 1897, relating to the charter of the town of Winterville.

Referred to Committee on Counties, Cities and Towns.

H. B. 334, a bill to extend the term of office of the register of deeds of Carteret County.

Referred to Committee on Counties, Cities and Towns.

H. B. 340, a bill to provide for charging against the various funds benefited thereby the costs of tax listing, tax collection and auditing, and to relieve the general fund of Avery County of this expense.

Referred to Committee on Counties, Cities and Towns.

H. B. 341, a bill to amend the charter of the town of Jonesboro.

Referred to Committee on Counties, Cities and Towns.

H. B. 353, a bill to amend Chapter 168 of the Public Local Laws of 1935, relating to the charter of the city of Reidsville.

Referred to Committee on Counties, Cities and Towns.

H. B. 357, a bill creating five districts for the nomination of members of the board of education of Cumberland County.

Referred to Committee on Counties, Cities and Towns.

H. B. 372, a bill to amend Chapter 124 of the Public Local Laws of 1933, placing the amount of salary of the recorder of Camden County in the discretion of the board of county commissioners.

Referred to Committee on Counties, Cities and Towns.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 186, a bill to amend Chapter 222 of the Private Laws of 1893, relating to the charter of the town of Grimesland in Pitt County.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 169, a bill to repeal Chapter 237 of the Public Local Laws of 1935, relating to the election of county commissioners in Hyde County, and to require such commissioners in Hyde County to be elected pursuant to the general law.

Passes its second and third readings and is ordered enrolled.

H. B. 211, a bill to amend Chapter 295, Private Laws, 1903, as amended by Chapter 264, Private Laws of 1915, as amended by Charter 200, Private Laws of 1939, relative to the term of office of the mayor and commissioners of the town of Hertford in Perquimans County, North Carolina.

Passes its second and third readings and is ordered enrolled.

H. B. 229, a bill to fix the salaries of the mayor and commissioners of the town of Aulander.

Passes its second and third readings and is ordered enrolled.

H. B. 273, a bill to authorize the employment of a full or part-time chairman of the board of county commissioners of Bladen County.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Bailey, the Senate adjourns to meet Monday evening at 8 o'clock.

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**THIRTY-FIFTH DAY**

SENATE CHAMBER,

Monday, February 15, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Chaffin for the Committee on Journal announces that he has examined the Journal of Saturday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The President extends the courtesies of the floor to former Senator Neil Salmon of Harnett County.

Upon motion of Senator Taylor, the courtesies of the floor are extended to William Henry Harris of Roxboro, N. C., father of Lieutenant Governor Harris.

Upon motion of Senator McKee, the courtesies of the lobby are extended to Mrs. Emma Buchanan of Jackson County and her granddaughter, Miss Sarah Buchanan of Henderson County.

The President extends the courtesies of the floor to former member and Speaker of the House of Representatives Willis Smith of Wake County.



Upon motion of Senator Chaffin, the courtesies of the lobby are extended to Mrs. Wilbur H. Currie, wife of Senator Currie of Moore County.

Upon motion of Senator Johnson of Halifax, the courtesies of the lobby are extended to Mrs. J. C. Lanier, wife of Senator Lanier of Pitt County.

Upon motion of Senator Ballentine, the courtesies of the floor are extended to former Senator J. Wilbur Bunn of Wake County.

The President extends the courtesies of the lobby to Mrs. Charles M. Johnson, wife of State Treasurer Charles M. Johnson.

The President extends the courtesies of the floor to former Senator William B. Austin of Ashe County.

Upon motion of Senator Ballentine, the courtesies of the floor are extended to former Senator Carroll W. Weathers of Wake County.

Upon motion of Senator Hodges, the courtesies of the lobby are extended to Don S. Elias of Asheville, N. C.

#### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 36, an act to transfer certain unexpended funds to the general fund in the county of Duplin.

S. B. 49, an act to amend Section 6 of Chapter 622 of the Public Local Laws of 1937 to equalize the salaries of public officials of Rockingham County.

S. B. 63, an act to amend Chapter 99 of the Public Local Laws of Session 1941 as same relates to duties of the clerk of Superior Court of Rockingham County.

S. B. 69, an act to amend Chapter 28 of the Public Local Laws of 1941 relative to increasing the standard of the public school system of Graham County.

S. B. 87, an act to amend the Machinery Act of 1939, with reference to the taxation of any new motor vehicles the sale of which is frozen in the hands of the dealers owning the same.

S. B. 96, an act to abolish the office of treasurer of Pitt County and repealing Chapter 179 of the Public Local Laws of 1937.

H. B. 14, an act to repeal Chapter 101 of the Public Local Laws of 1939, the same being "An Act to require the sheriff of Currituck County to appoint a deputy sheriff of Moyock Township in said county."

H. B. 38, an act to repeal Section 4436 of the Consolidated Statutes of North Carolina, relating to the seizure and disposition of property exhibited for the purpose of alluring persons to bet on any game.

H. B. 71, an act to extend the emergency power granted the State Highway and Public Works Commission by Chapter 4 of the Public Laws of 1941 for an additional two years.

H. B. 89, an act to fix the salary of the mayor of the town of Windsor.

H. B. 110, an act to authorize the post-mortem examination of certain feeble-minded and insane persons.

H. B. 112, an act to require the county commissioners of Graham County to sell county property only at public auction and after giving notice.

H. B. 114, an act to declare valid and legal the creation, establishment and organization of housing authorities, and all bonds, notes, agreements and undertakings of such housing authorities, and all proceedings, acts and things heretofore undertaken or done with reference thereto.

H. B. 115, an act to amend Chapter 63 of the Public Laws of 1941 to extend the time in which the development of projects may be initiated thereunder.

H. B. 120, an act to regulate the compensation of members of the county board of health in Cumberland County.

H. B. 128, an act to abolish the office of tax collector in Guilford County, and to consolidate the duties of tax collector and tax supervisor.

H. B. 136, an act to amend Chapter 415 of the Public Local Laws of 1941, relating to the transfer of the duties of tax collector to the county accountant of Swain County.

H. B. 137, an act to amend Chapter 283 of the Public Local Laws of 1941, relating to the per diem compensation of the chairman of the board of county commissioners of Swain County.

H. B. 151, an act to authorize and empower the commissioners of the town of Tryon to locate and determine the street line along Trade Street and the street leading to Godshaw Hill, in the town of Tryon, in front of the property of W. B. Hodges, known as the Gulf Filling Station property, and to quitclaim title to any part of said property beyond the street line as so determined.

H. B. 160, an act to amend Section 1 of Chapter 449 of the Public Laws of 1935, relating to investment in registered securities and deposit of same with the clerk of Superior Court, so that the bond of the guardian is reduced in proportion to the total amount of the bond as the funds expended are to the total amount of the estate.

H. B. 163, an act to repeal Section 5027 of the Consolidated Statutes of 1919, relating to investment of trust funds for the care of cemeteries and to empower the clerk of the Superior Court to invest such funds; and to amend Section 5028 so as to make the official bond of the clerk liable for such funds.

H. B. 165, an act to allow the deputy sheriffs and constables of Davie County a fee for the capture of illegally possessed or transported tax-paid liquor.

H. B. 169, an act to repeal Chapter 237 of the Public Local Laws of 1935, relating to the election of county commissioners in Hyde County, and to require such commissioners in Hyde County to be elected pursuant to the general law.

H. B. 174, an act to amend Sections 6785 through 6790 of Article XIII of the Consolidated Statutes, as amended, regulating the procuring and distribution of dead bodies for the promotion of medical science.



H. B. 184, an act to fix the salaries of the judge, solicitor and clerk of the recorder's court of Chowan County, and to fix certain costs of the said court.

H. B. 187, an act to fix the compensation of the chief deputy sheriff of Yancey County.

H. B. 190, an act to amend Section 1293 of Volume 1, Consolidated Statutes of 1919, relative to the number of commissioners of Lee County.

H. B. 201, an act to amend Chapter 149 of the Public Laws of 1927, relating to the regulation of the sale of securities within the State of North Carolina.

H. B. 203, an act to amend Section 130 of Chapter 158 of the Public Laws of 1939, the same being the Revenue Act of 1939, as amended by Chapter 50 of the Public Laws of 1941, so as to add penny self-service machines, contributing to the visually handicapped, to those exempt from State-wide license.

H. B. 205, an act to repeal the charter of the town of Nebo in McDowell County, North Carolina, and to provide machinery for the liquidation and disposition of the assets of said town.

H. B. 206, an act to authorize the Secretary of State to enroll in a book, to be provided for that purpose, the Constitution of North Carolina of 1868 and all subsequent amendments thereto.

H. B. 209, an act to provide for registration of pistols and similar firearms by owners thereof in Person County.

H. B. 210, an act to repeal Chapter 34 of the Public Laws of 1941, relating only to the method of electing county commissioners in Person County.

H. B. 211, an act to amend Chapter 295, Private Laws 1903, as amended by Chapter 264, Private Laws of 1915, as amended by Chapter 200, Private Laws of 1939, relative to the term of office of the mayor and commissioners of the town of Hertford in Perquimans County, North Carolina.

H. B. 228, an act to enable blind persons to be accompanied by their "seeing-eye guide dogs" in all public conveyances and in all places of public accommodation.

H. B. 229, an act to fix the salaries of the mayor and commissioners of the town of Aulander.

H. B. 236, an act to amend Subsection 5 of Section 24 of Chapter 145 of the Public Laws of 1931, as amended by Chapter 16 of the Public Laws of 1941, relating to gasoline road tax refunds.

H. B. 259, an act to amend Consolidated Statutes 65 (A), Volume 3, 1924, as amended, so as to include Yancey County under the provisions thereof.

H. B. 265, an act to amend Section 2366 of the Consolidated Statutes, as amended, providing for dispossession of tenants for refusal to perform contracts in certain counties, to include in counties therein listed the county of Brunswick.

H. B. 273, an act to authorize the employment of a full or part-time chairman of the board of county commissioners of Bladen County.

H. B. 276, an act to amend Chapter 135, Public Laws of 1941, rela-

tive to allotting a portion of the alcoholic beverage fund to Wilmington Port Development.

H. B. 283, an act amending Chapter 469, Public Local Laws of North Carolina, Session of 1937, relative to the disposition of the proceeds derived from alcoholic beverage control stores of the county of Durham.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator O'Berry, for the Committee on Finance:

S. B. 173, a bill authorizing the county of Alamance to issue hospital bonds under the provisions of the County Finance Act, as amended, with a favorable report.

S. B. 179, a bill to amend Chapter 74, Private Laws of North Carolina, Extra Session 1913, relating to the incorporation of the town of Norman, Richmond County, with a favorable report.

S. B. 66, a bill to create a cemetery commission and to authorize the levying of a tax of 10 cents on the \$100 worth of property when approved by the qualified voters of the town of Weldon, in Halifax County, with an unfavorable report as to bill, but favorable as to substitute offered by the Committee.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Larkins: S. B. 203, a bill to amend Section 7654 of the Consolidated Statutes, relating to the duties of Secretary of State so as to add an item covering custody and administration of official oaths.

Referred to Committee on Judiciary No. 1.

By Senator Gregory: S. B. 204, a bill to provide for the systematic advertising of the resources and advantages of Rowan County and to authorize expenditures therefor.

Referred to Committee on Judiciary No. 1.

By Senator Hudgins: S. B. 205, a bill to validate corporate acknowledgments taken under certain conditions.

Referred to Committee on Judiciary No. 2.

By Senator Chaffin: S. B. 206, a bill to amend Chapter 292 of the Public Laws of 1941 so as to include the town of Lillington in Harnett County.

Upon motion of Senator Chaffin, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Chaffin: S. B. 207, a bill to provide for the administering of oaths by the sheriff and other police officials in Harnett County, relating to the justification of sureties upon bail, bonds and other undertakings.

Referred to Committee on Judiciary No. 1.



By Senator Barker: S. B. 208, a bill to amend Chapter 343, Private Laws of 1907, relative to charter of town of Lumberton.

Referred to Committee on Counties, Cities and Towns.

By Senator Barker: S. B. 209, a bill to amend Chapter 10, Public Local Laws of North Carolina, Session of 1933, entitled "An Act to authorize the board of commissioners of Robeson County to fix, raise, lower or adjust salaries of county officials and subordinates in accordance with changing economic conditions and for efficiency."

Referred to Committee on Counties, Cities and Towns.

By Senator Johnson of Halifax: S. B. 210, a bill to provide for the apportionment of federal estate taxes among the beneficiaries of the estate upon which said taxes were assessed.

Referred to Committee on Judiciary No. 2.

By Senator Eagles: S. B. 211, a bill to amend Chapter 338 of the Public Laws of 1941, relating to the regulation and incorporation of non-profit hospital service corporations and to the supervision and regulation of such corporations by the State Commissioner of Insurance and the authorization by such corporations to provide for medical service plans.

Referred to Committee on Insurance.

By Senator Cherry: S. B. 212, a bill to amend Chapter 264 of the Public Local Laws of North Carolina for 1921, relating to the fixing of the compensation of certain officers in Gaston County and other matters.

Upon motion of Senator Cherry, the bill is placed upon the Calendar.

By Senator Cherry: S. B. 213, a bill to amend Chapter 198, Public Laws of 1921, providing for the registration of official discharges from the military and naval forces of the United States in the United States in the office of the register of deeds in the several counties of the State.

Referred to Committee on Military Affairs.

By Senator Brooks: S. B. 214, a bill to provide for the regulation of aeronautics within North Carolina.

Referred to Committee on Judiciary No. 1.

By Senators Matheny and Eagles: S. B. 215, a bill to amend Chapter 393 of the Public Laws of 1937, known as the Soil Conservation Districts Law so as to provide per diem compensation and expense allowances for the supervisors provided for in said Act and to appropriate a sufficient amount to cover said per diem allowance and travel expenses.

Referred to Committee on Agriculture.

By Senator Sanders: S. B. 216, a bill to enable the commissioners of Alamance County to pay a war bonus to its employees.

Referred to Committee on Judiciary No. 2.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 139, a bill relating to the election and duties of the tax supervisor and collector for Avery County by amending Chapter 409 of the Public Local Laws of 1935.

Referred to Committee on Election Laws.

H. B. 271, a bill exempting members of the military forces from the provisions of Section 5791 of the Consolidated Statutes, relating to filling vacancies on the board of trustees of the University of North Carolina.

Referred to Committee on Trustees of the University.

H. B. 363, a bill to prohibit the manufacture, purchase, sale, dealing in, transportation, possession, advertisement and use of pyrotechnics in Davidson County.

Referred to Committee on Propositions and Grievances.

H. B. 378, a bill to authorize and empower Pitt County and the city of Greenville, located within said county, to invoke the right of eminent domain for the purpose of acquiring land to enlarge and extend the County-City Airport located within Pitt County, and to prescribe the procedure therefor.

Referred to Committee on Judiciary No. 1.

H. B. 380, a bill to relieve Bertie County from liability under Section 1681 of Volume 1 of the Consolidated Statutes of 1919 for damages or injuries caused by dogs to poultry or fowls.

Referred to Committee on Judiciary No. 2.

H. B. 413, a bill to tax and regulate professional bondsmen in Wayne County.

Referred to Committee on Finance.

H. B. 431, a bill to repeal Section 1 of Chapter 196 of the Public Local Laws of 1931, allowing the clerk of the Superior Court to receive fees as clerk of the county recorder's court; to amend Section 5 of Chapter 160 of the Public Local Laws of 1929, which fixes the salary of the clerk, to provide a salary for services as clerk of the county recorder's court; and to provide for payment of salary to a deputy clerk of the Superior Court.

Referred to Committee on Judiciary No. 2.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 99, a bill to amend Chapter 64 of the Public Laws of 1935, relating to ordinances for the public health of the State, to bring the city of Reidsville within the provisions of the Act, upon third reading.

The bill passes its third reading by roll call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith,



Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—46.

The bill is ordered sent to the House of Representatives.

S. B. 122, a bill to amend Chapter 201 of the Private Laws of 1915, being the charter of the town of Warrenton, upon third reading.

The bill passes its third reading by roll call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—46.

The bill is ordered sent to the House of Representatives.

S. B. 141, a bill to amend Chapter 376 of the Private Laws of 1941 of North Carolina, changing the corporate limits of the town of Canton, upon third reading.

The bill passes its third reading roll call vote, ayes, 46, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—46.

The bill is ordered sent to the House of Representatives.

S. B. 158, a bill to amend Chapter 107 of the Public Local and Private Laws of 1931, entitled "An Act to amend Chapter 395 of the Public Local Laws of 1909 and all Acts amendatory thereof, relating to the city charter of the city of High Point, upon third reading.

The bill passes its third reading by roll call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—46.

The bill is ordered sent to the House of Representatives.

S. B. 159, a bill to authorize the city of High Point to make additional appropriations after the adoption of the budget in any fiscal year, upon third reading.

The bill passes its third reading by roll call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine,

Barber, Barker, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—46.

The bill is ordered sent to the House of Representatives.

H. B. 74, a bill providing for the assumption by Pender County of road bonds of Caswell Township and Columbia Township in said county, upon third reading.

The bill passes its third reading by roll call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—46.

The bill is ordered enrolled.

H. B. 207, a bill to authorize the board of county commissioners of Randolph County to complete the quadrennial assessment of real property for taxation in the year 1943, and validating actions taken heretofore with respect thereto, upon third reading.

The bill passes its third reading by roll call vote, ayes 46, noes, 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—46.

The bill is ordered enrolled.

H. B. 243, a bill to validate the establishment of Cumberland County drainage district No. 3 and to validate the proceedings taken by the board of drainage commissioners of said district to authorize refunding bonds to refund outstanding bonds of said district and to provide for the payments of such refunding bonds and the administration of the affairs of said districts, upon third reading.

The bill passes its third reading by roll call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith,



Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—46.

The bill is ordered enrolled.

H. B. 258, a bill to amend Chapter 343 of the Public Local and Private Laws of 1941, to enlarge and extend the corporate limits of the town of Jacksonville, North Carolina, so as to include development known and designated as Overbrook, upon third reading.

The bill passes its third reading by roll call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—46.

The bill is ordered enrolled.

S. B. 27, a bill to amend Chapter 25 of the Public Laws of 1941, creating a Teachers and State Employees Retirement System in North Carolina, upon third reading.

The bill passes its third reading by roll call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—46.

The bill is ordered engrossed.

S. B. 138, a bill to provide for exchanges of bonds of the State which are held in the sinking funds under the control of the sinking fund commission, and for the cancellation of certain highway bonds held in the sinking funds for such bonds, upon third reading.

The bill passes its third reading by roll call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—46.

The bill is ordered sent to the House of Representatives.

S. B. 139, a bill to authorize the issuance of highway bonds of the State, upon third reading.

The bill passes its third reading by roll call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—46.

The bill is ordered sent to the House of Representatives.

S. B. 161, a bill to extend the period during which counties, cities, towns and sanitary districts may issue revenue bonds for the acquisition, construction, reconstruction, improvement, betterment and extension of revenue-producing undertakings as authorized by Chapter 2 of the Public Laws of the State of North Carolina, Extra Session of 1938.

Upon motion of Senator Wade, the bill is re-referred to the Committee on Finance.

S. B. 86, a bill to amend Chapter 179 of the Public Laws of 1933, regulating the practice of cosmetic art, to provide for the renewal of certificates of retired operators, upon second reading.

The bill passes its second reading by roll call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—45.

S. B. 29, a bill to amend the Constitution providing for the organization of the State Board of Education.

The Committee offers a substitute bill which is adopted.

Upon motion of Senator O'Berry, action on the bill is deferred until tomorrow.

S. B. 149, a bill to amend Section 5062 of Volume 2 of the Consolidated Statutes of 1919, as amended by Chapter 193 of the Public Laws of 1923, relating to city juvenile courts and probation officers.

The bill passes its second reading.

Upon objection of Senator Blythe to its third reading, the bill remains upon the Calendar.

S. B. 151, a bill for the adoption of a State bird.

Senator Johnson of Duplin offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 155, a bill to permit executors, administrators C.T.A., trustees and guardians to invest certain funds held by them in the specified types of insurance.

Upon motion of Senator Hudgins, action on the bill is deferred until tomorrow.

S. B. 177, a bill to amend Chapter 257 of the Public Laws of 1939,



establishing the North Carolina Cape Hatteras Seashore Commission, and to provide for the continued functioning of same.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 247, a bill to improve the Appalachian State Teachers College.

Upon motion of Senator Farthing, action on the bill is deferred until Monday, February 22, 1943.

H. B. 252, a bill to amend Section 5828 of the Consolidated Statutes of North Carolina and to provide for appointment of trustees of the Negro Agricultural and Technical College of North Carolina.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Larkins, the Senate adjourns to meet tomorrow at 12 o'clock M.

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### THIRTY-SIXTH DAY

SENATE CHAMBER,

Tuesday, February 16, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Larkins, the courtesies of the lobby are extended to Mrs. Joe L. Blythe, wife of Senator Blythe of Mecklenburg County, Mrs. Jack Pollock from the State of Michigan and Mrs. Manning of Bethel, N. C.

Upon motion of Senator O'Berry, the courtesies of the lobby are extended to Sidney Baron of New York City, Ross Ashby of Greensboro, N. C., and Harry Levey of Richmond, Virginia.

Upon motion of Senator Larkins, the courtesies of the lobby are extended to O. Max Gardner, Jr., a student at State College.

Upon motion of Senator Johnson of Duplin, the courtesies of the galleries are extended to the Seventh Grade of Thompson School, Raleigh, N. C., and their teacher, Miss Southerland, of Duplin County.

### ENGROSSED BILLS

Senator Poindexter, for the Committee on Engrossed Bills, reports the following bills as properly engrossed, and the same are ordered sent to the House of Representatives:

S. B. 27, a bill to amend Chapter 25 of the Public Laws of 1941, creating a Teachers and State Employees Retirement System in North Carolina.

S. B. 151, a bill for the adoption of a State bird.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Watkins, for the Committee on Counties, Cities and Towns:

S. B. 68, a bill to require the appointments of county superintendents of public welfare, county health officers and game protectors to be approved by the boards of county commissioners in the counties in which they are to serve, with an unfavorable report.

S. B. 183, a bill to amend Chapter 243 of the Private Laws of 1911, the charter of the city of Statesville, so as to increase the costs allowed in the mayor's court of the city of Statesville, with a favorable report.

S. B. 199, a bill to amend Chapter 258, Public Local Laws of 1933, as amended, entitled "An Act to regulate the duties of sheriff of Edgecombe County and establish office of tax collector of Edgecombe County to increase salaries of sheriff and deputy sheriffs of Edgecombe County," with a favorable report.

S. B. 208, a bill to amend Chapter 343, Private Laws of 1907, relative to charter of town of Lumberton, with a favorable report.

S. B. 175, a bill to amend Chapter 357 of the Public Laws of 1941, relating to retirements for employees of counties, cities and towns, so as to make Section 9 (A) inapplicable to New Hanover County and the city of Wilmington, with a favorable report.

S. B. 176, a bill to amend the North Carolina local governmental employees' retirement system, the same being Chapter 390 of the Public Laws of 1939, as amended, by changing certain dates therein, with a favorable report.

S. B. 182, a bill to amend the charter of the town of Wilson, N. C., so as to provide for the general election of elective municipal officials, with a favorable report.

S. B. 209, a bill to amend Chapter 10, Public Local Laws of North Carolina, Session of 1933, entitled "An Act to authorize the board of commissioners of Robeson County to fix, raise, lower or adjust salaries of county officials and subordinates in accordance with changing economic conditions and for efficiency," with a favorable report.

H. B. 131, a bill to provide for the appointment, salary and duties of an assistant solicitor for the Twelfth Judicial District to assist in the prosecution of the criminal docket for the Superior Court of Guilford County, with a favorable report.

H. B. 194, a bill to allow the arresting officers of Wilkes County a fee for the capture of illegally possessed or illegally transported tax-paid liquor, with a favorable report.

H. B. 195, a bill to amend Chapter 416 of the Public Local Laws of 1939, which is an Act to fix minimum jail fee for turnkey fee for the sheriff of Wilkes County and to fix the custody and management of the jail of Wilkes County in order to raise the fee therein allowed for the care of prisoners, with a favorable report.

H. B. 213, a bill to amend Section 65 (a) of the Consolidated Statutes of 1924, as amended, providing for payment to clerk of sums



not exceeding \$300.00 due intestate to include in counties therein provided for the county of Wilkes, with a favorable report.

H. B. 313, a bill to amend Section 4 of Article XI of the charter of the town of Morganton, relating to the compensation of aldermen of said town, with a favorable report.

H. B. 326, a bill to empower the board of aldermen of the city of Rocky Mount to relieve churches from paving assessments, with a favorable report.

H. B. 331, a bill to amend Chapter 95 of the Private Laws of 1897, relating to the charter of the town of Winterville, with a favorable report.

H. B. 334, a bill to extend the term of office of the register of deeds of Carteret County, with a favorable report.

H. B. 340, a bill to provide for charging against the various funds benefited thereby the costs of tax listing, tax collection and auditing and to relieve the general fund of Avery County of this expense, with a favorable report.

H. B. 341, a bill to amend the charter of the town of Jonesboro, with a favorable report.

H. B. 357, a bill creating five districts for the nomination of members of the board of education of Cumberland County, with a favorable report.

H. B. 372, a bill to amend Chapter 124 of the Public Local Laws, 1933, placing the amount of salary of the recorder of Camden County in the discretion of the board of county commissioners, with a favorable report.

By Senator Johnson of Duplin, for the Committee on Judiciary No. 1:

S. B. 85, a bill to amend ditch laws and provide for joint drainage of low lands, with an unfavorable report.

S. B. 188, a bill to amend Section 483 of the Consolidated Statutes of North Carolina, as amended, relating to the service of process in civil actions, with a favorable report, as amended.

S. B. 204, a bill to provide for the systematic advertising of the resources and advantages of Rowan County and to authorize expenditures therefor, with a favorable report.

S. B. 207, a bill to provide for the administering of oaths by the sheriff and other police officials in Harnett County, relating to the justification of sureties upon bail, bonds and other undertakings, with a favorable report.

S. B. 214, a bill to provide for the regulation of aeronautics within North Carolina, with a favorable report.

S. B. 196, a bill concerning the judicial notice of the laws of other jurisdictions and concerning proof thereof and making uniform the law with reference thereto, with an unfavorable report.

H. B. 255, a bill to validate certain trustees' deeds from which grantors' seal have been omitted, with a favorable report.

H. B. 378, a bill to authorize and empower Pitt County and the city of Greenville, located within said county, to invoke the right of eminent domain for the purpose of acquiring land to enlarge and ex-

tend the county-city airport located within Pitt County, and to prescribe the procedure therefor, with a favorable report.

S. B. 193, a bill providing for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously, and to make uniform the law with reference thereto, with a favorable report.

S. B. 203, a bill to amend Section 7654 of the Consolidated Statutes, relating to the duties of Secretary of State so as to add an item covering custody and administration of official oaths, with a favorable report.

By Senator Cherry, for the Committee on Public Roads:

S. B. 28, a bill to amend Section 29 of Chapter 407 of the Public Laws of 1937 so as to extend the time for renewing vehicle registrations one month, and to amend Section 75 of said Chapter so as to make said Section conform to the said amendment, with a favorable report.

S. B. 198, a bill to authorize the Governor and Council of State to cooperate and assist in the acquisition of additional land in connection with the Great Smoky Mountains National Park, with a favorable report.

By Senator Eagles, for the Committee on Insurance.

S. B. 170, a bill to amend Section 4925 (q) of Volume 3 of the Consolidated Statutes of North Carolina, as amended by Chapter 337 of the Public Laws of 1941, with a favorable report.

S. B. 181, a bill to amend Chapter 58, Public Laws of 1925, as amended by Chapter 328 of the Public Laws of 1931, pertaining to the definition of group life insurance, with a favorable report.

S. B. 211, a bill to amend Chapter 338 of the Public Laws of 1941, relating to the regulation and incorporation of non-profit hospital service corporations and to the supervision and regulation of such corporations by the State Commissioner of Insurance and the authorization by such corporations to provide for medical service plans, with a favorable report.

H. B. 248, a bill to amend Section 6264 of the Consolidated Statutes of 1919 to change the title of the Insurance Commissioner to Commissioner of Insurance, with a favorable report.

By Senator Larkins, for the Committee on Unemployment Compensation:

H. B. 164, a bill to amend Chapter 120, Section 38 of the Public Laws of 1929, relating to the amount of compensation paid to dependents of a deceased employee so as to give those who are both partly dependent and next of kin as defined in said Act an election as to benefits, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator McKee: S. B. 217, a bill to amend Chapter 288, Public Laws of 1937, as amended, and to repeal Chapter 120 and Section 5, Chapter 226, Public Laws of 1931 to provide uniform residence requirements for applicants for assistance.



Referred to Committee on Public Welfare.

By Senator Wilson: S. B. 218, a bill to repeal Chapter 318 of the Public Local Laws of 1939, relating to papers in the office of the clerk of the Superior Court of Alexander County.

Referred to Committee on Judiciary No. 2.

By Senator Lanier: S. B. 219, a bill to prohibit agents and employees of the Pitt County Alcoholic Beverage Control Board from engaging in political activities.

Referred to Committee on Propositions and Grievances.

By Senators Ballentine and Evans: S. B. 220, a bill to amend Section 4785, Volume II, of the Consolidated Statutes of 1919, being entitled "An Act to provide for the establishment of standard packages, grades, State brands and for other purposes."

Referred to Committee on Agriculture.

By Senator Ruark: S. B. 221, a bill to authorize the county commissioners of Brunswick County and the board of aldermen of the city of Southport, North Carolina, to make adjustments with delinquent taxpayers.

Referred to Committee on Counties, Cities and Towns.

By Senator Mitchell: S. B. 222, a bill to amend Chapter 53 of the Public Laws of 1935, as amended by Chapter 124 of the Public Laws of 1937, relating to the powers and duties of the North Carolina Commissioner for the Blind.

Referred to Committee on Institutions for the Blind.

By Senator Mitchell: S. R. 223, a joint resolution creating a Zebulon Baird Vance Memorial Commission and defining the duties thereof.

Referred to Committee on Judiciary No. 1.

By Senator Cole: S. B. 224, a bill to incorporate the Richmond County Country Club Commission.

Referred to Committee on Counties, Cities and Towns.

By Senator Johnson of Duplin: S. B. 225, a bill to amend Article XIII of Chapter 121 of the Consolidated Statutes, as amended, and Chapter 219 of the Public Laws of 1927, as amended, relating to the management of the Stonewall Jackson Manual Training and Industrial School, the Eastern Carolina Industrial School for Boys, the Industrial Farm Colony for Women, the State Home and Industrial School for Girls and the Morrison Training School so as to provide for the appointment of a unified board of directors for such institutions and to provide for the appointment of a general superintendent and a general business manager thereof.

Referred to Committee on Judiciary No. 1.

By Senator Sanders: S. B. 226, a bill to ratify expenditures for the Alamance County Defense Council Medical Corps.

Referred to Committee on Judiciary No. 2.

By Senator Larkins: S. R. 227, a joint resolution inviting Madame Chiang Kai-Shek to address a joint session of the General Assembly and make a public appearance in the city of Raleigh, the Capital of North Carolina.

Upon motion of Senator Larkins, the rules are suspended and the resolution is taken up for immediate consideration.

Passes its second and third readings and is ordered sent to the House of Representatives by special messenger.

Pursuant to the above resolution, the President appoints as a Committee on the part of the Senate, Senators Larkins and Weathers and a message is ordered sent to the House of Representatives informing that Body of such action.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 218, a bill to amend Chapter 77 of the Public Laws of 1925, as amended, relating to the merger or consolidation of corporations, so as to permit corporations of this State to merge as well as consolidate, and to permit corporations of this State to merge and consolidate with corporations of other States.

Referred to Committee on Corporations.

H. B. 224, a bill to amend Section 2165 of Volume 1 of the Consolidated Statutes of North Carolina so as to exclude guardians, whose bond is executed by surety company, from the provisions of said Section.

Referred to Committee on Judiciary No. 2.

H. B. 280, a bill to provide a hog cholera prevention program for Currituck County and to permit the sale and use of hog cholera vaccine therefor.

Referred to Committee on Agriculture.

H. B. 239, a bill to amend Section 16 of Chapter 407 of the Public Laws of 1937 to exempt farm tractors and other farm vehicles from licensing and registration under the Motor Vehicle Law.

Referred to Committee on Public Roads.

H. B. 301, a bill to authorize the county commissioners of Davidson County to direct the board of elections to call an election for the purpose of submitting to the voters of said county the question of whether a tax shall be levied to support the free public library.

Referred to Committee on Finance.

H. B. 307, a bill to amend Chapter 114, Public Laws of 1941, the North Carolina Seed Law, to include hybrid corn seed.

Referred to Committee on Agriculture.

H. B. 286, a bill to amend Subsection 1 of Section 4 of Chapter 25 of the Public Laws of 1941, creating the Teachers and State Employees Retirement System.

Referred to Committee on Education.

H. B. 297, a bill to amend Chapter 196 of the Public Laws of 1941, as to the definition of contract hauler vehicles under the Motor Vehicle Law.

Referred to Committee on Public Roads.

H. B. 298, a bill to amend Chapter 407 of the Public Laws of 1937, so as to exclude from the definition of for-hire passenger vehicles, vehicles operated on a "share-the-expense" plan.

Referred to Committee on Public Roads.



H. B. 314, a bill to authorize the participation by the North Carolina School for the Deaf at Morganton in the free distribution of textbooks and the State Textbook Rental System operated by the State of North Carolina.

Referred to Committee on Education.

H. B. 320, a bill amending Chapter 331 of the Public Laws of North Carolina of 1929, the same being "An Act amending Chapter 56 of the Consolidated Statutes of North Carolina, relating to special assessments, and extending the Statute of Limitations from ten years to fifteen years from the default in the payment of any unpaid assessments."

Referred to Committee on Judiciary No. 2.

H. B. 322, a bill to permit marginal entry on the record of a deed of trust or mortgage of the payment of any one or more of a series of notes or bonds secured by such mortgage or deed of trust.

Referred to Committee on Judiciary No. 2.

H. R. 492, a joint resolution to petition the Office of Price Administration to adjust fairly the price of milk to be paid to the farmer.

Upon motion of Senator Ballentine, the rules are suspended and the resolution is taken up for immediate consideration.

Passes its second and third readings and is ordered enrolled.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 173, a bill authorizing the county of Alamance to issue hospital bonds under the provisions of the County Finance Act, as amended, upon second reading.

The bill passes its second reading by roll call vote, ayes 49, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—49.

S. B. 179, a bill to amend Chapter 74, Private Laws of North Carolina, Extra Session 1913, relating to the incorporation of the town of Norman, Richmond County, upon second reading.

The bill passes its second reading by roll call vote, ayes 49, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—49.

S. B. 66, a bill to create a cemetery commission and to authorize the levying of a tax of 10 cents on the \$100 worth of property when approved by the qualified voters of the town of Weldon, in Halifax County.

The substitute offered by the Committee is adopted, constituting the first reading of the bill and the bill takes its place on the second reading roll call Calendar.

S. B. 212, a bill to amend Chapter 264 of the Public Local Laws of North Carolina for 1921, relating to the fixing of the compensation of certain officers in Gaston County and other matters.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 208, a bill to amend Chapter 141 of the Public Local Laws of 1925, relating to the appointment of a tax supervisor and purchasing agent of Surry County.

Passes its second and third readings and is order edenrolled.

S. B. 86, a bill to amend Chapter 179 of the Public Laws of 1933, regulating the practice of cosmetic art, to provide for the renewal of certificates of retired operators, upon third reading.

The bill passes its third reading by roll call vote, ayes 49, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—49.

The bill is ordered sent to the House of Representatives.

S. B. 29, a bill to amend the Constitution providing for the organization of the State Board of Education.

Upon motion of Senator O'Berry, action on the bill is deferred until tomorrow.

Upon motion of Senator Brooks, the bill is made a Special Order for Wednesday, February 17, 1943.

S. B. 149, a bill to amend Section 5062 of Volume 2 of the Consolidated Statutes of 1919, as amended by Chapter 193 of the Public Laws of 1923, relating to city juvenile courts and probation officers.

Passes its third reading and is ordered sent to the House of Representatives.

H. B. 44, a bill to make more elastic the punishments for certain violations of the lottery and gaming laws of the State of North Carolina.

Upon motion of Senator Clark, the bill is re-referred to the Committee on Judiciary No. 1.

S. B. 6, a bill to reduce the punishment for capital felonies from death to life imprisonment when recommended by the jury.

Upon motion of Senator Leary, action on the bill is postponed indefinitely.



S. B. 155, a bill to permit executors, administrators C.T.A., trustees and guardians to invest certain funds held by them in the specified types of insurance.

Senator Hudgins offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

H. B. 63, a bill to authorize county commissioners to provide compensation for members of rationing boards while in the actual performance of their duties.

Upon motion of Senator Horton, action on the bill is deferred until Thursday, February 18, 1943.

Upon motion of Senator Johnson of Duplin, the Senate adjourns to meet tomorrow at 12 o'clock M.

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### THIRTY-SEVENTH DAY

SENATE CHAMBER,

Wednesday, February 17, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The President extends the courtesies of the lobby to Mrs. H. P. Taylor, wife of Senator Taylor of Anson County.

The President appoints Miss Caroline Corbett Taylor, daughter of Senator H. P. Taylor of Anson County, an honorary page of the Senate.

The President extends the courtesies of the lobby to Mrs. Frank L. Dunlap of Wadesboro, N. C.

Upon motion of Senator Larkins, the courtesies of the floor are extended to former Representative Claude Banks of Jones County.

Upon motion of Senator Ruark, the courtesies of the floor are extended to former Representative Charles Edward Taylor of Brunswick County.

The President extends the courtesies of the floor to Honorable John Kerr, Speaker of the House of Representatives, of Warren County.

Upon motion of Senator Bailey, the courtesies of the lobby are extended to Pat Kimzey, member of the North Carolina Industrial Commission.

The President extends the courtesies of the lobby to Miss Beatrice Cobb of Morganton, N. C., Democratic National Committeewoman from North Carolina.

### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 98, an act to amend Chapter 145 of the Public Laws of 1931, as amended, relating to gasoline tax refunds.

S. B. 103, an act to extend the corporate limits of the city of Greenville in Pitt County, North Carolina.

S. B. 104, an act to amend Section 10 Chapter 67 of the Public Local Laws of 1937 so that the city of Roanoke Rapids may levy a tax rate of 60 cents instead of 50 cents on the \$100 valuation on all taxable property in Roanoke Rapids.

S. B. 108, an act authorizing the board of commissioners for the county of Forsyth to levy an additional tax for the support and maintenance of the Forsyth County Tubercular Hospital, and ratifying all such levies heretofore made.

S. B. 112, an act to authorize the boards of county commissioners of the several counties of the State to remit taxes for 1943 on all real property in their respective counties which the United States Government took possession of for military purposes prior to January 1, 1943, pursuant to contracts executed prior to said January 1st, provided such real property shall be conveyed to the United States or to some agency thereof for military purposes before July 1, 1943.

S. B. 206, an act to amend Chapter 292 of the Public Laws of 1941 so as to include the town of Lillington in Harnett County.

H. B. 74, an act providing for the assumption by Pender County of road bonds of Caswell Township and Columbia Township in said county.

H. B. 207, an act to authorize the board of county commissioners of Randolph County to complete the quadrennial assessment of real property for taxation in the year 1943, and validating actions taken heretofore with respect thereto.

H. B. 208, an act to amend Chapter 141 of the Public Local Laws of 1925, relating to the appointment of a tax supervisor and purchasing agent of Surry County.

H. B. 252, an act to amend Section 5828 of the Consolidated Statutes of North Carolina and to provide for appointment of trustees of the Negro Agricultural and Technical College of North Carolina.

H. B. 258, an act to amend Chapter 343 of the Public Local and Private Laws of 1941, to enlarge and extend the corporate limits of the town of Jacksonville, North Carolina, so as to include the development known and designated as Overbrook.

S. R. 227, a joint resolution inviting Madame Chiang Kai-Shek to address a joint session of the General Assembly and make a public appearance in the city of Raleigh, the capital of North Carolina.

H. R. 492, a joint resolution to petition the office of Price Administration to adjust fairly the price of milk to be paid to the farmer.

S. B. 33, an act to amend Section 1676 of the Consolidated Statutes, eliminating the criminal penalty for failure to pay the dog tax license.

S. B. 45, an act to allow members of the State Highway Patrol to make election between membership in the Teachers and State Employees Retirement System and the Law Enforcement Officers' Benefit and Retirement Fund.



S. B. 53, an act to amend Section 1443 of the Consolidated Statutes of 1919, as amended, and to provide for sessions or terms of the Superior Court in cities other than the county seat which have a population of as many as 35,000 inhabitants.

S. B. 82, an act to amend Chapter 53 of the Public Laws of 1933 so as to extend the provisions for free privilege licenses for the blind veterans of the armed forces to transact business in this State.

#### ENGROSSED BILLS

Senator Poindexter, for the Committee on Engrossed Bills, reports the following bills as properly engrossed, and the same are ordered sent to the House of Representatives:

S. B. 155, a bill to permit executors, administrators C.T.A., trustees and guardians to invest certain funds held by them in the specified types of insurance.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Watkins, for the Committee on Counties, Cities and Towns:

S. B. 221, a bill to authorize the county commissioners of Brunswick County and the board of aldermen of the city of Southport, North Carolina, to make adjustments with delinquent taxpayers, with a favorable report.

S. B. 224, a bill to incorporate the Richmond County Country Club Commission, with a favorable report.

H. B. 353, a bill to amend Chapter 168 of the Public Local Laws of 1935, relating to the charter of the city of Reidsville, with a favorable report.

By Senator Benton, for the Committee on Institutions for the Blind:

S. B. 222, a bill to amend Chapter 53 of the Public Laws of 1935, as amended by Chapter 124 of the Public Laws of 1937, relating to the powers and duties of the North Carolina Commission for the Blind, with a favorable report.

By Senator Farthing, for the Committee on Military Affairs:

S. B. 213, a bill to amend Chapter 198, Public Laws of 1921, providing for the registration of official discharges from the military and naval forces of the United States in the United States in the office of the register of deeds in the several counties of the State, with a favorable report.

H. B. 223, a bill to fix age limits for membership in the North Carolina State Guard, with a favorable report.

By Senator Hudgins, for the Committee on Trustees of the University:

H. B. 271, a bill exempting members of the military forces from the provisions of Section 5791 of the Consolidated Statutes, relating to filling vacancies on the board of trustees of the University of North Carolina, with a favorable report.

By Senator Carlyle, for the Committee on Interstate Cooperation:

S. B. 154, a bill conferring emergency war powers upon the Governor to protect the lives and property of the people of the State and promote the security of the State and nation during the existing state of war, with a favorable report, as amended.

By Senator Barber, for the Committee on Courts and Judicial Districts:

S. B. 145, a bill to extend the jurisdiction of the mayor's court of the city of Statesville to all territory within a one-mile radius of said city limits, with a favorable report.

H. B. 260, a bill to amend Section 2329 of the Consolidated Statutes, as amended, to include, among those exempted from jury duty, radio broadcast technicians and announcers, with a favorable report, as amended.

H. B. 122, a bill to abolish jury trials in all courts in Vance County inferior to the Superior Court except courts of justices of the peace, with an unfavorable report.

S. B. 123, a bill to amend Chapter 343 of the Public Laws of 1929, relating to domestic relations courts, with a favorable report.

H. B. 367, a bill to fix the jury fees for the Washington County Recorder's Court, with a favorable report.

H. B. 311, a bill to amend Chapter 762 of the Public Local Laws of 1915, relating to the drawing of jurors in the recorder's court of Warren County, with a favorable report.

H. B. 140, a bill to amend Section 1443 of Volume 1 of the Consolidated Statutes of 1919, as amended, relating to the terms of court in Avery County, with a favorable report.

H. B. 264, a bill to amend Chapter 243 of the Public Local Laws of 1911, relating to the Cleveland County Court, and to make provisions with respect to a Kings Mountain Recorder's Court, with a favorable report.

H. B. 288, a bill to provide for the transfer of cases from the recorder's court of Tyrrell County to the Superior Court when jury trials are requested, with a favorable report.

By Senator Clark, for the Committee on Mental Institutions:

H. B. 168, a bill to amend Section 1 of Chapter 265 of the Public Laws of 1929, the same being "An Act relative to the division of territory and transfer of patients of the State Hospitals, so as to allow the authorities of the State Hospital at Morganton in their discretion to admit members of the Eastern Band of Indians," with a favorable report.

By Senator Palmer, for the Committee on Salaries and Fees:

S. B. 184, a bill relating to the compensation of the clerk of the Superior Court and the register of deeds of Moore County, with a favorable report.

S. B. 185, a bill to regulate the salaries of all employees of Rutherford County except the elective officials, with a favorable report.

H. B. 274, a bill to fix the salaries and compensation of certain officers of Bladen County by amending Chapter 398, Public Local Laws of 1933, with a favorable report.



H. B. 261, a bill to fix the fees of jurors in Martin County, with a favorable report.

H. B. 293, a bill to repeal Chapter 246 of the Public Local Laws of Session 1935, relating to the salary of the constable of Wilmington Township, New Hanover County, with a favorable report.

H. B. 316, a bill to fix the Hertford County jailer's allowance for prisoners' board, and to fix the turnkey fee, with a favorable report.

H. B. 332, a bill to fix the salary of the county accountant in Clay County, with a favorable report.

H. B. 344, a bill to provide for the setting of the salary of the deputy sheriff of Franklin County, with a favorable report.

H. B. 345, a bill to amend Chapter 139 of the Public Local Laws of 1935 and Chapter 261 of the Public Local Laws of 1937, relating to the salary of the register of deeds and deputy register of deeds of Franklin County, with a favorable report.

By Senator Johnson of Duplin, for the Committee on Judiciary No. 1:

H. B. 237, a bill to make the provisions of Chapter 8, Public Laws of 1939, known as "Veterans Employment Preference Act" applicable to the veterans of the present war, with a favorable report.

By Senator Sanders, for the Committee on Judiciary No. 2:

S. B. 169, a bill to amend Chapter 34 of the Public Laws of 1931, relating to the appointment of a county accountant for Brunswick County, with a favorable report.

S. B. 171, a bill to empower the county commissioners of Alamance County to make an appropriation for assisting in the erection of a memorial and improving a memorial cemetery for certain war veterans, with a favorable report.

S. B. 172, a bill relative to the election of trustees for Alamance County Public Hospital, with a favorable report.

S. B. 205, a bill to validate corporate acknowledgments taken under certain conditions, with a favorable report.

S. B. 210, a bill to provide for the apportionment of federal estate taxes among the beneficiaries of the estate upon which said taxes were assessed, with a favorable report.

S. B. 216, a bill to enable the commissioners of Alamance County to pay a war bonus to its employees, with a favorable report.

S. B. 218, a bill to repeal Chapter 318 of the Public Local Laws of 1939, relating to papers in the office of the clerk of the Superior Court of Alexander County, with a favorable report.

S. B. 226, a bill to ratify expenditures for the Alamance County Defense Council Medical Corps, with a favorable report.

H. B. 40, a bill to allow instruments to be proved or acknowledged before certain Army, Navy, Coast Guard, Marine and Merchant Marine officers and to validate such proofs or acknowledgments heretofore taken, with a favorable report.

H. B. 41, a bill to allow the taking of depositions by officers of the United States Army, Navy, Coast Guard, Marine Corps and Merchant Marine, with a favorable report.

H. B. 257, a bill to provide for a simpler form of corporate acknowledgment, with a favorable report.

H. B. 224, a bill to amend Section 2165 of Volume 1 of the Consolidated Statutes of North Carolina so as to exclude guardians, whose bond is executed by a surety company, from the provisions of said Section, with a favorable report.

H. B. 102, a bill to compensate clerks of the Superior Court and inferior courts for making statistical reports in civil and criminal cases, with an unfavorable report.

H. B. 320, a bill amending Chapter 331 of the Public Laws of North Carolina of 1929, the same being "An Act amending Chapter 56 of the Consolidated Statutes of North Carolina, relating to special assessments, and extending the statute of limitations from ten years to fifteen years from the default in the payment of any unpaid assessments," with an unfavorable report.

Upon motion of Senator Sanders, the bill is taken from the unfavorable Calendar and placed upon the Calendar.

H. B. 322, a bill to permit marginal entry on the record of a deed of trust or mortgage of the payment of any one or more of a series of notes or bonds secured by such mortgage or deed of trust, with an unfavorable report.

H. B. 380, a bill to relieve Bertie County from liability under Section 1681 of Volume 1 of the Consolidated Statutes of 1919, for damages or injuries caused by dogs to poultry or fowls, with a favorable report.

H. B. 431, a bill to repeal Section 1 of Chapter 196 of the Public Local Laws of 1931, allowing the clerk of the Superior Court to receive fees as clerk of the county recorder's court; to amend Section 5 of Chapter 160 of the Public Local Laws of 1929, which fixes the salary of the clerk, to provide a salary for services as clerk of the county recorder's court; and to provide for payment of salary to a deputy clerk of the Superior Court, with a favorable report.

H. B. 32, a bill to require the board of county commissioners of Currituck County to publish the minutes of its meetings in some newspaper circulated in the county, with an unfavorable report.

H. B. 93, a bill to regulate sales of real estate to make assets to pay debts of decedents in Gates County, with an unfavorable report.

By Senator Taylor, for the Committee on Appropriations:

S. B. 54, a bill to amend the School Machinery Act of 1939, to provide for a nine-months school term, with a favorable report, as amended.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 162, a bill to provide for the probate of wills of members of the armed forces of the United States.

Referred to Committee on Judiciary No. 1.

H. B. 279, a bill to amend Section 1744 of Volume III of the Consolidated Statutes of North Carolina, as amended, relative to the sale of contingent remainders, so as to authorize the temporary reinvestment of funds in United States bonds.

Referred to Committee on Finance.



H. B. 306, a bill to establish a standard rule of measurement of saw logs or other round timber.

Referred to Committee on Agriculture.

H. B. 310, a bill to amend Section 7, Chapter 47, Public Laws of 1927, entitled "An Act to amend certain Sections in the present Banking Laws, being Chapter 4, Public Laws of 1921 and amendments thereto," as amended, so as to strike out the Section enacted by said Section 7 and by substituting a new Section for the Section stricken out.

Referred to Committee on Banks and Currency.

H. R. 333, a joint resolution of the General Assembly of North Carolina concerning employer's experience rating system of the Unemployment Compensation Law.

Referred to Committee on Unemployment Compensation.

H. B. 335, a bill to amend Section 4384 of the Consolidated Statutes of North Carolina, relating to officers wilfully failing to discharge their duties, so as to make said Section applicable to recorders and prosecuting attorneys of recorder's courts.

Referred to Committee on Courts and Judicial Districts.

H. B. 351, a bill to amend Section 8 of Chapter 25 of the Public Laws of 1941, creating the Teachers and State Employees Retirement System.

Referred to Committee on Education.

H. B. 405, a bill to make retroactive the provisions of a regulation of the North Carolina Department of Revenue, Sales and Use Tax Division in regard to application of sales and use taxes to oculists, optometrists and opticians, in order to remedy inequalities in taxation.

Referred to Committee on Finance.

H. B. 418, a bill to amend Section 579 of the Consolidated Statutes of North Carolina, so as to permit either party to file exceptions to the report of a referee within thirty days from the filing thereof.

Referred to Committee on Judiciary No. 1.

S. B. 44, a bill to amend Chapter 157 of the Public Laws of 1941, relating to the Law Enforcement Officers' Benefit and Retirement Fund, for concurrence in the House amendments.

Placed on Calendar for concurrence in House amendments.

HOUSE OF REPRESENTATIVES,  
Tuesday, February 16, 1943.

*Mr. President:*

It is ordered that a message be sent informing your Honorable Body that pursuant to S. R. 227 entitled, "A joint resolution inviting Madame Chiang Kai-Shek to address a Joint Session of the General Assembly and make a public appearance in the city of Raleigh, the capital of North Carolina," Mr. Speaker Kerr has appointed as a Committee on the part of the House, Mrs. Cover, Messrs. Hatch, Turner of Iredell, Askew and Morton.

Respectfully,

SHEARON HARRIS, *Principal Clerk.*

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Daniel: S. B. 228, a bill to compensate Sarah Lee Stanley for medical bill as the result of injuries sustained by being struck by a public school bus.

Referred to Committee on Education.

By Senator Daniel: S. B. 229, a bill to require any person authorized by law to perform marriage ceremonies to return the license of marriage to the register of deeds within two days after the celebration of such marriage.

Referred to Committee on Judiciary No. 1.

By Senator Blythe: S. B. 230, a bill relating to the registration of birth certificates by amending Section 7101 (b) of Volume 2 of the Consolidated Statutes of 1919, as amended.

Referred to Committee on Finance.

By Senator Cherry: S. B. 231, a bill for the relief of Bradley Transit Company by refunding deferred payment made for certain motor vehicle tags.

Referred to Committee on Public Roads.

By Senator Chaffin: S. B. 232, a bill to amend Section 101 of Volume 1 of the Consolidated Statutes of North Carolina, which discharges representatives of a decedent from liability for assets paid on claims not presented within twelve months from the date of the first publication of general notice to creditors.

Referred to Committee on Judiciary No. 1.

By Senator Benton: S. B. 233, a bill to incorporate the town of Benson; define its corporate limits and to provide for its government; to repeal the charter of the present town of Benson and Acts amendatory thereto, except as provided herein.

Referred to Committee on Counties, Cities and Towns.

By Senator Wilson: S. B. 234, a bill to fix the compensation of the county commissioners and members of the board of education of Alexander County.

Referred to Committee on Salaries and Fees.

By Senator Johnson of Duplin: S. B. 235, a bill to provide the method of selection of the judge and prosecuting attorney of the general county court of Duplin County and to provide for the appointment of an assistant judge and assistant prosecuting attorney for said court.

Referred to Committee on Judiciary No. 1.

By Senator Johnson of Duplin: S. B. 236, a bill to fix the salaries of certain deputy sheriffs of Duplin County.

Referred to Committee on Salaries and Fees.

By Senator Mitchell: S. B. 237, a bill to authorize the clerk of the Superior Court of Iredell County to reappoint the commissioners of the Iredell-Rowan Drainage District No. 1, and ratifying actions of said commissioners heretofore appointed.

Referred to Committee on Judiciary No. 1.

By Senator Mitchell: S. B. 238, a bill to repeal Chapter 431 of the



Public Local Laws of 1939, relating to classification for taxation in Iredell County.

Referred to Committee on Finance.

By Senator Horton: S. B. 239, a bill to amend the School Machinery Act, the same being Chapter 358, Public Laws of 1939, as amended.

Referred to Committee on Education.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 173, a bill authorizing the county of Alamance to issue hospital bonds under the provisions of the County Finance Act, as amended, upon third reading.

The bill passes its third reading by roll call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Cole, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—46.

The bill is ordered sent to the House of Representatives.

S. B. 179, a bill to amend Chapter 74, Private Laws of North Carolina, Extra Session 1913, relating to the incorporation of the town of Norman, Richmond County, upon third reading.

The bill passes its third reading by roll call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Cole, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—46.

The bill is ordered sent to the House of Representatives.

S. B. 66, a bill to create a cemetery commission and to authorize the levying of a tax of 10 cents on the \$100 worth of property when approved by the qualified voters of the town of Weldon, in Halifax County, upon second reading.

The bill passes its second reading by roll call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Cole, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—46.

S. B. 175, a bill to amend Chapter 357 of the Public Laws of 1941, relating to retirements for employees of counties, cities and towns, so as to make Section 9A inapplicable to New Hanover County and the city of Wilmington, upon second reading.

The bill passes its second reading by roll call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Cole, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—46.

S. B. 182, a bill to amend the charter of the town of Wilson, N. C., so as to provide for the general election of elective municipal officials, upon second reading.

The bill passes its second reading by roll call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Cole, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—46.

S. B. 183, a bill to amend Chapter 243 of the Private Laws of 1911, the charter of the city of Statesville, so as to increase the costs allowed in the mayor's court of the city of Statesville, upon second reading.

The bill passes its second reading by roll call vote, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Cole, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—46.

S. B. 199, a bill to amend Chapter 258, Public Local Laws of 1933, as amended, entitled "An Act to regulate the duties of sheriff of Edgecombe County and establish office of tax collector of Edgecombe County," to increase salaries of sheriff and deputy sheriffs of Edgecombe County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 204, a bill to provide for the systematic advertising of the resources and advantages of Rowan County and to authorize expenditures therefor.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 207, a bill to provide for the administering of oaths by the



sheriff and other police officials in Harnett County relating to the justification of sureties upon bail, bonds and other undertakings.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 208, a bill to amend Chapter 343, Private Laws of 1907, relative to charter of town of Lumberton.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 209, a bill to amend Chapter 10, Public Local Laws of North Carolina, Session of 1933, entitled "An Act to authorize the board of commissioners of Robeson County to fix, raise, lower or adjust salaries of county officials and subordinates in accordance with changing economic conditions and for efficiency."

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 194, a bill to allow the arresting officers of Wilkes County a fee for the capture of illegally possessed or illegally transported tax-paid liquor.

Passes its second and third readings and is ordered enrolled.

H. B. 195, a bill to amend Chapter 416 of the Public Local Laws of 1939, which is an Act to fix minimum jail fee for turnkey fee for the sheriff of Wilkes County and to fix the custody and management of the jail of Wilkes County, in order to raise the fee therein allowed for the care of prisoners.

Passes its second and third readings and is ordered enrolled.

H. B. 213, a bill to amend Section 65 (a) of the Consolidated Statutes of 1924, as amended, providing for payment to clerk of sums not exceeding \$300.00 due intestate, to include in counties therein provided for the county of Wilkes.

Passes its second and third readings and is ordered enrolled.

H. B. 313, a bill to amend Section 4 of Article II of the charter of the town of Morganton, relating to the compensation of aldermen of said town.

Passes its second and third readings and is ordered enrolled.

H. B. 326, a bill to empower the board of aldermen of the city of Rocky Mount to relieve churches from paving assessments.

Passes its second and third readings and is ordered enrolled.

H. B. 331, a bill to amend Chapter 95 of the Private Laws of 1897, relating to the charter of the town of Winterville.

Passes its second and third readings and is ordered enrolled.

H. B. 334, a bill to extend the term of office of the register of deeds of Carteret County.

Passes its second and third readings and is ordered enrolled.

H. B. 340, a bill to provide for charging against the various funds benefited thereby the costs of tax listing, tax collection and auditing, and to relieve the general fund of Avery County of this expense.

Passes its second and third readings and is ordered enrolled.

H. B. 341, a bill to amend the charter of the town of Jonesboro.

Passes its second and third readings and is ordered enrolled.

H. B. 357, a bill creating five districts for the nomination of members of the board of education of Cumberland County.

Passes its second and third readings and is ordered enrolled.

H. B. 372, a bill to amend Chapter 124 of the Public Local Laws, 1933, placing the amount of salary of the recorder of Camden County in the discretion of the board of county commissioners.

Passes its second and third readings and is ordered enrolled.

H. B. 378, a bill to authorize and empower Pitt County and the city of Greenville, located within said county, to invoke the right of eminent domain for the purpose of acquiring land to enlarge and extend the county-city airport located within Pitt County, and to prescribe the procedure therefor.

Passes its second and third readings and is ordered enrolled.

#### SPECIAL ORDER

The hour having arrived for the consideration of the Special Order, the President lays before the Senate the Special Order of the day, it being S. B. 29, a bill to amend the Constitution providing for the organization of the State Board of Education, upon second reading.

The bill passes its second reading by roll call vote, ayes 32, noes 10, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brock, Brooks, Carlyle, Chaffin, Cherry, Clark, Daniel, Evans, Farthing, Graham, Gregory, Hodges, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, Mitchell, McKee, Pittman, Poindexter, Price, Ruark, Taylor, Wallace, Whitaker—32.

Those voting in the negative are: Senators Cole, Eagles, Funderburk, Leary, O'Berry, Palmer, Sanders, Watkins, Watson, Weathers—10.

Senator O'Berry objects to the third reading of the bill.

Senator Brooks moves that the rules be suspended and the bill be placed upon its third reading.

The motion fails and the bill remains on the Calendar.

S. B. 176, a bill to amend the North Carolina Local Governmental Employees' Retirement System, the same being Chapter 390 of the Public Laws of 1939, as amended, by changing certain dates therein, upon second reading.

The bill passes its second reading by roll call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brock, Brooks, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker—44.

S. B. 28, a bill to amend Section 29 of Chapter 407 of the Public Laws of 1937, so as to extend the time for renewing vehicle registrations one month, and to amend Section 75 of said Chapter so as to make said Section conform to the said amendment.



Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 170, a bill to amend Section 4925 (q) of Volume 3 of the Consolidated Statutes of North Carolina, as amended by Chapter 337 of the Public Laws of 1941.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 181, a bill to amend Chapter 58, Public Laws of 1925, as amended by Chapter 328 of the Public Laws of 1931, pertaining to the definition of group life insurance.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 188, a bill to amend Section 483 of the Consolidated Statutes of North Carolina, as amended, relating to the service of process in civil actions.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 193, a bill providing for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously, and to make uniform the law with reference thereto.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 198, a bill to authorize the Governor and Council of State to cooperate and assist in the acquisition of additional land in connection with the Great Smoky Mountains National Park.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 203, a bill to amend Section 7654 of the Consolidated Statutes, relating to the duties of Secretary of State so as to add an item covering custody and administration of official oaths.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 211, a bill to amend Chapter 338 of the Public Laws of 1941, relating to the regulation and incorporation of non-profit hospital service corporations and to the supervision and regulation of such corporations by the State Commissioner of Insurance and the authorization by such corporations to provide for medical service plans.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 214, a bill to provide for the regulation of aeronautics within North Carolina.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 131, a bill to provide for the appointment, salary and duties of an assistant solicitor for the Twelfth Judicial District to assist in the prosecution of the criminal docket for the Superior Court of Guilford County.

Passes its second and third readings and is ordered enrolled.

H. B. 164, a bill to amend Chapter 120, Section 38, of the Public Laws of 1929, relating to the amount of compensation paid to de-

pendents of a deceased employee so as to give those who are both partly dependent and next of kin as defined in said Act an election as to benefits.

Passes its second and third readings and is ordered enrolled.

H. B. 248, a bill to amend Section 6264 of the Consolidated Statutes of 1919, to change the title of the Insurance Commissioner to Commissioner of Insurance.

Passes its second and third readings and is ordered enrolled.

H. B. 255, a bill to validate certain trustees' deeds from which grantors' seals have been omitted.

Upon motion of Senator Barber, action on the bill is deferred until tomorrow.

Pursuant to S. R. 168, a resolution to authorize the appointment of the Special Committee with reference to the financial affairs of the Atlantic and North Carolina Railroad, Senator Pittman submits a report of the Committee, which is referred to Committee on Calendar.

Upon motion of Senator Larkins, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.

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### THIRTY-EIGHTH DAY

SENATE CHAMBER,

Thursday, February 18, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Hudgins, the courtesies of the floor are extended to Thomas C. Hoyle, Sr., Guilford County Attorney, Harry Weatherly, Guilford County Manager, T. R. Short, Guilford County Tax Collector, Willis Booth, Guilford County Auditor, and James Doggett, Guilford County Commissioner.

Upon motion of Senator Cole, the courtesies of the floor are extended to former Senator Fred Cox of Anson County.

Upon motion of Senator Ballentine, the courtesies of the galleries are extended to the Eighth Grade of Hugh Morson High School and their teacher, Mrs. Mary Sears Johnson.

Upon motion of Senator Johnson of Halifax, the courtesies of the lobby are extended to Mrs. Rivers D. Johnson, wife of Senator Johnson of Duplin, and Mrs. D. Mac Johnson, wife of Senator Johnson of Halifax.

Upon motion of Senator Hudgins, the courtesies of the lobby are extended to Judge H. Hoyle Sink of the Twelfth Judicial District, Greensboro, N. C., and Solicitor Ralph Scott of the Twenty-first Judicial District, Danbury, N. C.



Upon motion of Senator Pittman, the courtesies of the lobby are extended to Mark Lassiter of Snow Hill, N. C.

Upon motion of Senator Price, Miss Sallie Powell of Leaksville, N. C., is made an honorary page.

Upon motion of Senator Cherry, H. B. 200, a bill to amend Section 492 of the Consolidated Statutes relating to the defense of actions after judgment on substituted services by exempting action for the foreclosure of county and municipal taxes from the operation of said Section, is taken from the unfavorable Calendar and re-referred to Committee on Judiciary No. 1.

#### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 43, an act to create 21 Solicitorial Districts as authorized by the Constitutional amendment adopted in November, 1942.

S. B. 64, an act to further amend Section 3346, Volume 1, of the Consolidated Statutes of 1919, as amended by Chapter 24 of the Public Laws of 1929.

S. B. 129, an act to amend Chapter 103 and Article XII of Chapter 96 of the Consolidated Statutes of North Carolina, relating to the management of the State Hospital at Raleigh, the State Hospital at Morganton, the State Hospital at Goldsboro and the Caswell Training School at Kinston to provide for the appointment of a unified board of directors for such institutions and to provide for the appointment of a general superintendent of mental hygiene.

H. B. 194, an act to allow the arresting officers of Wilkes County a fee for the capture of illegally possessed or illegally transported tax-paid liquor.

H. B. 213, an act to amend Section 65 (a) of the Consolidated Statutes of 1924, as amended, providing for payment to Clerk of sums not exceeding \$300.00 due intestate, to include in counties therein provided for the county of Wilkes.

H. B. 313, an act to amend Section 4 or Article II of the charter of the town of Morganton, relating to the compensation of aldermen of said town.

H. B. 357, an act creating five districts for the nomination of members of the board of education of Cumberland County.

H. B. 334, an act to extend the term of office of the register of deeds of Carteret County.

H. B. 340, an act to provide for charging against the various funds benefited thereby the costs of tax listing, tax collection and auditing, and to relieve the general fund of Avery County of this expense.

H. B. 341, an act to amend the charter of the town of Jonesboro.

H. B. 378, an act to authorize and empower Pitt County and the city of Greenville, located within said county, to invoke the right of eminent domain for the purpose of acquiring lands to enlarge and extend the County-City Airport located within Pitt County, and to prescribe the procedure therefor.

## ENGROSSED BILLS

Senator Poindexter, for the Committee on Engrossed Bills, reports the following bill as properly engrossed, and the same is ordered sent to the House of Representatives:

S. B. 188, a bill to amend Section 483 of the Consolidated Statutes of North Carolina, as amended, relating to the service of process in civil actions.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Watson, for the Committee on Conservation and Development:

S. B. 125, a bill to authorize and empower the acquisition by the State of North Carolina for park purposes of parts of certain lands located in Avery, Caldwell and Watauga Counties, known as Grandfather Mountain, with a favorable report.

Upon motion of Senator Wade, the bill is re-referred to Committee on Appropriations.

By Senator Gregory, for the Committee on Library:

S. B. 121, a bill to amend Section 6597 of the Consolidated Statutes of North Carolina by rewriting said Section so as to change the manner of establishing the Library Commission of North Carolina, with a favorable report.

By Senator Blythe, for the Committee on Public Health:

H. B. 113, a bill to amend Chapter 287 of the Public Laws of 1939, as amended, relating to the elimination of unfit dwellings in cities and towns of more than five thousand population, with a favorable report.

By Senator Cherry, for the Committee on Public Roads:

S. B. 231, a bill for the relief of Bradley Transit Company by refunding deferred payment made for certain motor vehicle tags, with a favorable report.

H. B. 239, a bill to amend Section 16 of Chapter 407 of the Public Laws of 1937 to exempt farm tractors and other farm vehicles from licensing and registration under the Motor Vehicle Law, with a favorable report.

H. B. 297, a bill to amend Chapter 196 of the Public Laws of 1941, as to the definition of contract hauler vehicles under the Motor Vehicle Law, with a favorable report.

H. B. 298, a bill to amend Chapter 407 of the Public Laws of 1937, so as to exclude from the definition of for-hire passenger vehicles, vehicles operated on a "share-the-expense" plan, with a favorable report.

By Senator Horton, for the Committee on Education:

S. B. 191, a bill to place all schools in Halifax Township under the supervision, control and direction of the Halifax County Board of Education, with a favorable report.

S. B. 174, a bill to fix the membership of the board of education of Graham County, with a favorable report.



H. B. 82, a bill to amend Chapter 25 of the Public Laws of 1941, creating a Teachers and State Employees Retirement System in North Carolina so as to permit the re-employment of teachers and State employees who have retired on account of age, with a favorable report.

H. B. 214, a bill to amend Subsection 2 of Section 5, Chapter 25, of the Public Laws of 1941, creating a Teachers and State Employees Retirement System, with a favorable report.

H. B. 222, a bill to authorize the use of school buses for the transportation of the North Carolina State Guard or the National Guard to and from places of encampment when ordered by the Governor, with a favorable report.

H. B. 286, a bill to amend Subsection 1 of Section 4 of Chapter 25, of the Public Laws of 1941, creating the Teachers and State Employees Retirement System, with a favorable report.

H. B. 314, a bill to authorize the participation by the North Carolina School for the Deaf at Morganton in the free distribution of textbooks and the State textbook rental system operated by the State of North Carolina, with a favorable report.

H. B. 338, a bill to amend Chapter 385 of the Public Local Laws of 1921, relating to pensions for school teachers in New Hanover County, to provide that any payment from the State Retirement System Fund be deducted from the pension allowed by the county, and to change date of payment, with a favorable report.

H. B. 365, a bill to authorize the employment of a county superintendent of schools in Tyrrell County during the present emergency, with a favorable report.

H. B. 351, a bill to amend Section 8 of Chapter 25 of the Public Laws of 1941, creating the Teachers and State Employees Retirement System, with a favorable report.

By Senator O'Berry, for the Committee on Finance:

S. B. 161, a bill to extend the period during which counties, cities, towns and sanitary districts may issue revenue bonds for the acquisition, construction, reconstruction, improvement, betterment, and extension of revenue-producing undertakings as authorized by Chapter 2 of the Public Laws of the State of North Carolina, Extra Session of 1938, with a favorable report, as amended.

Upon motion of Senator Larkins, the bill is re-referred to Committee on Finance.

S. B. 189, a bill authorizing the transfer of certain assets to the general funds of Montgomery County, with a favorable report.

S. B. 190, a bill to repeal Chapter 208 of the Public Local Laws of 1925 relative to the issuance of bonds by the governing bodies within Montgomery County, with a favorable report.

H. B. 279, a bill to amend Section 1744 of Volume 3 of the Consolidated Statutes of North Carolina, as amended, relative to the sale of contingent remainders, so as to authorize the temporary reinvestment of funds in United States bonds, with a favorable report.

H. B. 281, a bill to authorize an election in Brunswick County on the question of the erection of a new court house and the issuance of bonds therefor, with an unfavorable report.

H. B. 413, a bill to tax and regulate professional bondsmen in Wayne County, with a favorable report.

By Senator Graham, for the Committee on Banks and Currency:

H. B. 310, a bill to amend Section 7, Chapter 47, Public Laws of 1927, entitled "An Act to amend certain Sections in the present banking laws, being Chapter 4, Public Laws of 1921 and amendments thereto," as amended, so as to strike out the Section enacted by said Section 7 and by substituting a new Section for the Section stricken out, with a favorable report.

H. B. 285, a bill to amend Chapter 154, Public Laws of 1937, adding a new paragraph to Section 220 (a) of the Consolidated Statutes, regulating the making of loans generally referred to as personal loans, so as to authorize commercial banks to make personal or industrial loans in the same manner as industrial banks, with a favorable report.

H. B. 284, a bill to amend Chapter 225, Public Laws of 1923, entitled "An Act to provide for the supervision and examination of industrial banks by the Corporation Commission," as amended, so as to provide additional powers to those provided in Section 6 of said Act, with a favorable report.

By Senator Ballentine, for the Committee on Agriculture:

S. B. 215, a bill to amend Chapter 393 of the Public Laws of 1937 known as the Soil Conservation Districts Law, so as to provide per diem compensation and expense allowances for the supervisors provided for in said Act and to appropriate a sufficient amount to cover said per diem allowance and travel expenses, with a favorable report.

S. B. 220, a bill to amend Section 4785, Volume 2, of the Consolidated Statutes of 1919, being entitled "An Act to provide for the establishment of standard packages, grades, state brands, and for other purposes," with a favorable report.

H. B. 107, a bill to amend Article V of Chapter 84 of Volume 2 of the Consolidated Statutes of 1919, as amended, relating to commercial feeding stuffs, with a favorable report, as amended.

H. B. 108, a bill to amend Article VI of Chapter 84 of Volume 2 of the Consolidated Statutes of 1919, as amended, relating to stock and poultry tonics, with a favorable report, as amended.

H. B. 280, a bill to provide a hog cholera prevention program for Currituck County and to permit the sale and use of hog cholera vaccine therefor, with a favorable report.

H. B. 307, a bill to amend Chapter 114, Public Laws of 1941, the North Carolina Seed Law, to include hybrid corn seed, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Carlyle: S. B. 240, a bill to require each State Agency of the State of North Carolina which has been created by statute and exercises regulatory, administrative or semi-judicial functions, to file with the Secretary of State, copies of administrative rules and regulations or rules of practice and procedure and amendments thereto.

Referred to Committee on Judiciary No. 1.



By Senator Carlyle: S. B. 241, a bill to provide compensation for attendance upon meetings of the members of the commission created by resolutions 27 and 34 of the General Assembly of 1941.

Referred to Committee on Appropriations.

By Senator Harrelson: S. B. 242, a bill to amend Chapter 305 of the Public Local Laws of 1935 providing for adjustment of delinquent taxes by making said Chapter applicable to municipalities in Columbus County.

Referred to Committee on Counties, Cities and Towns.

By Senator Harrelson: S. B. 243, a bill to regulate the salaries of officials and employees of Columbus County.

Referred to Committee on Salaries and Fees.

By Senator Harrelson: S. B. 244, a bill to amend Section 1443 of the Consolidated Statutes of 1919 to change the terms of Superior Court in Columbus County.

Referred to Committee on Courts and Judicial Districts.

By Senator Harrelson: S. B. 245, a bill to repeal Chapter 327 of the Public Local Laws of 1935, relating to the sale of land for taxes in Columbus County.

Referred to Committee on Counties, Cities and Towns.

By Senator Mitchell: S. B. 246, a bill to extend the terms of office of the county commissioners, the register of deeds, the recorder and the solicitor of the Iredell County recorder's court to December, 1946, and to provide for four-year terms thereafter.

Referred to Committee on Counties, Cities and Towns.

By Senator Mitchell: S. B. 247, a bill to change the term of office of the mayor of the city of Statesville from two years to four years.

Referred to Committee on Counties, Cities and Towns.

By Senators McKee, Price, Cherry, Farthing, Horton, Whitaker, Carlyle, Ballentine and Johnson of Halifax: S. B. 248, a bill to place the North Carolina Symphony Society, Incorporated, under the patronage and control of the State, and to authorize the Governor and Council of State to make an allotment from the contingency and emergency fund in aid thereof.

Referred to Committee on Appropriations.

By Senators O'Berry and Taylor: S. B. 249, a bill to amend Chapter 2, Public Laws of 1929, relating to the allowance of traveling expenses to the Lieutenant Governor.

Referred to Committee on Appropriations.

By Senator Cole: S. B. 250, a bill to authorize the board of commissioners of the town of Hoffman in their discretion to refuse to issue licenses to applicants for licenses to sell beer and wine.

Referred to Committee on Propositions and Grievances.

By Senator Palmer, by request: S. B. 251, a bill to repeal Chapter 95 of the Public Local Laws of 1919 relative to the compensation of the cotton weigher of Cabarrus County and to amend Chapter 238 of the Public Laws of 1895, so as to fix the compensation of said cotton weigher.

Upon motion of Senator Palmer, the bill is placed upon the Calendar.

By Senator Taylor: S. B. 252, a bill to prohibit the sale of wine or beer within the corporate limits of the town of Ansonville in Anson County.

Referred to Committee on Propositions and Grievances.

By Senator Taylor: S. B. 253, a bill to prohibit the sale of wine or beer within the corporate limits of the town of Lilesville in Anson County.

Referred to Committee on Propositions and Grievances.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 294, a bill to amend the retirement system for teachers and state employees with reference to prior service of certain State Highway and Public Works Commission Employees.

Referred to Committee on Appropriations.

H. B. 318, a bill to authorize the attestation of deeds of banks by the secretary or an assistant secretary or by the cashier or an assistant cashier.

Referred to Committee on Judiciary No. 1.

H. B. 373, a bill to amend Sections 2429 and 2430 of the Consolidated Statutes of North Carolina, relating to libel and slander by radio or television stations.

Referred to Committee on Judiciary No. 2.

H. B. 376, a bill to extend the term of office of the chairman and members of the board of commissioners of Macon County and to provide for the election and compensation of the members of said board.

Referred to Committee on Counties, Cities and Towns.

H. B. 424, a bill to except Rowan County from certain provisions of Section 1681 of the Consolidated Statutes.

Referred to Committee on Judiciary No. 1.

H. B. 435, a bill to authorize the city of High Point to pay from federal funds now or hereafter in its possession for work done and services performed by certain contractors and others on a hydro-electric project on the Yadkin River in North Carolina, which the city is now liquidating, subject to approval of Public Works Administration of Federal Works Agency of the United States of America.

Referred to Committee on Counties, Cities and Towns.

H. B. 470, a bill to amend Chapter 407, Public Laws of 1937, known as "The Motor Vehicle Law of 1937," with reference to electric trolley coaches at Greensboro and vicinity.

Referred to Committee on Counties, Cities and Towns.

H. B. 474, a bill to repeal Chapter 103 of the Private Laws of 1935, relating to the incorporation and management of the Walnut Hill Cemetery in Ashe County.

Referred to Committee on Counties, Cities and Towns.

H. R. 543, a joint resolution memorializing Captain W. Monroe Wicker, killed in action in Northern Africa.



Upon motion of Senator Johnson of Duplin, the rules are suspended and the resolution is taken up for immediate consideration.

Passes its second and third readings and is ordered enrolled.

H. R. 544, a joint resolution indorsing the Pharmacy Corps Bill, H. R. 997, S. R. 216, to create a Pharmacy Corps in the United States Army, now pending in the Congress of the United States.

Referred to Committee on Military Affairs.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 66, a bill to create a cemetery commission and to authorize the levying of a tax of 10 cents on the \$100 worth of property when approved by the qualified voters of the town of Weldon, in Halifax County, upon third reading.

The bill passes its third reading by roll call vote, ayes 48, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—48.

The bill is ordered sent to the House of Representatives.

S. B. 175, a bill to amend Chapter 357 of the Public Laws of 1941, relating to retirements for employees of counties, cities and towns, so as to make Section 9A inapplicable to New Hanover County and the city of Wilmington, upon third reading.

The bill passes its third reading by roll call vote, ayes 48, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—48.

The bill is ordered sent to the House of Representatives.

S. B. 182, a bill to amend the charter of the town of Wilson, N. C., so as to provide for the general election of elective municipal officials, upon third reading.

The bill passes its third reading by roll call vote, ayes 48, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins,

Johnson of Duplin, Johnson of Halifax, Larkins, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—48.

The bill is ordered sent to the House of Representatives.

S. B. 183, a bill to amend Chapter 243 of the Private Laws of 1911, the charter of the city of Statesville, so as to increase the costs allowed in the mayor's court of the city of Statesville, upon third reading.

The bill passes its third reading by roll call vote, ayes 48, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—48.

The bill is ordered sent to the House of Representatives.

S. B. 216, a bill to enable the commissioners of Alamance County to pay a war bonus to its employees, upon second reading.

The bill passes its second reading by roll call vote, ayes 48, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—48.

S. B. 224, a bill to incorporate the Richmond County Country Club Commission, upon second reading.

The bill passes its second reading by roll call vote, ayes 48, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—48.

S. B. 145, a bill to extend the jurisdiction of the mayor's court of the city of Statesville to all territory within one mile radius of the said city limits.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 169, a bill to amend Chapter 34 of the Public Laws of 1931,



relating to the appointment of a county accountant for Brunswick County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 171, a bill to empower the county commissioners of Alamance County to make an appropriation for assisting in the erection of a memorial and improving a memorial cemetery for certain war veterans.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 172, a bill relative to the election of trustees for Alamance County Public Hospital.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 184, a bill relating to the compensation of the clerk of the Superior Court and the register of deeds of Moore County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 185, a bill to regulate the salaries of all employees of Rutherford County except the elective officials.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 218, a bill to repeal Chapter 318 of the Public Local Laws of 1939, relating to papers in the office of the clerk of the Superior Court of Alexander County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 221, a bill to authorize the county commissioners of Brunswick County and the board of aldermen of the city of Southport, North Carolina, to make adjustments with delinquent taxpayers.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 226, a bill to ratify expenditures for the Alamance County Defense Council Medical Corps.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 140, a bill to amend Section 1443 of Volume 3 of the Consolidated Statutes of 1919, as amended, relating to the terms of court in Avery County.

Passes its second and third readings and is ordered enrolled.

H. B. 261, a bill to fix the fees of jurors in Martin County.

Passes its second and third readings and is ordered enrolled.

H. B. 264, a bill to amend Chapter 243 of the Public Local Laws of 1911, relating to the Cleveland County court, and to make provisions with respect to a Kings Mountain recorder's court.

Passes its second and third readings and is ordered enrolled.

H. B. 274, a bill to fix the salaries and compensation of certain officers of Bladen County by amending Chapter 398, Public Local Laws of 1933.

Passes its second and third readings and is ordered enrolled.

H. B. 288, a bill to provide for the transfer of cases from the recorder's court of Tyrrell County to the Superior Court when jury trials are requested.

Passes its second and third readings and is ordered enrolled.

H. B. 293, a bill to repeal Chapter 246 of the Public Local Laws of Session 1935, relating to the salary of the constable of Wilmington Township, New Hanover County.

Passes its second and third readings and is ordered enrolled.

H. B. 311, a bill to amend Chapter 762 of the Public Local Laws of 1915, relating to the drawing of jurors in the recorder's court of Warren County.

Passes its second and third readings and is ordered enrolled.

H. B. 345, a bill to amend Chapter 139 of the Public Local Laws of 1935 and Chapter 261 of the Public Local Laws of 1937, relating to the salary of the register of deeds and deputy register of deeds of Franklin County.

Senator Watson offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 316, a bill to fix the Hertford County jailer's allowance for prisoners' board, and to fix the turnkey fee.

Passes its second and third readings and is ordered enrolled.

H. B. 332, a bill to fix the salary of the county accountant in Clay County.

Passes its second and third readings and is ordered enrolled.

H. B. 344, a bill to provide for the setting of the salary of the deputy sheriff of Franklin County.

Passes its second and third readings and is ordered enrolled.

H. B. 353, a bill to amend Chapter 168 of the Public Local Laws of 1935, relating to the charter of the city of Reidsville.

Passes its second and third readings and is ordered enrolled.

H. B. 367, a bill to fix the jury fees for the Washington County recorder's court.

Passes its second and third readings and is ordered enrolled.

H. B. 380, a bill to relieve Bertie County from liability under Section 1681 of Volume 1 of the Consolidated Statutes of 1919 for damages or injuries caused by dogs to poultry or fowls.

Passes its second and third readings and is ordered enrolled.

H. B. 431, a bill to repeal Section 1 of Chapter 196 of the Public Local Laws of 1931 allowing the clerk of the Superior Court to receive fees as clerk of the county recorder's court; to amend Section 5 of Chapter 160 of the Public Local Laws of 1929, which fixes the salary of the clerk, to provide a salary for services as clerk of the county recorder's court; and to provide for payment of salary to a deputy clerk of the Superior Court.

Passes its second and third readings and is ordered enrolled.

S. B. 29, a bill to amend the constitution providing for the organization of the state board of education.

Senators O'Berry and Sanders offer a substitute bill.



Upon motion of Senator Brooks, action on the bill is deferred until tomorrow and is made Special Order No. 1.

S. B. 176, a bill to amend the North Carolina local governmental employees' retirement system, the same being Chapter 390 of the Public Laws of 1939, as amended, by changing certain dates therein, upon third reading.

The bill passes its third reading by roll call vote, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—47.

The bill is ordered sent to the House of Representatives.

S. B. 44, a bill to amend Chapter 157 of the Public Laws of 1941, relating to the law enforcement officers' benefit and retirement fund, for concurrence in House amendment.

Upon motion of Senator Cherry, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 54, a bill to amend the School Machinery Act of 1939, to provide for a nine-months school term.

Upon motion of Senator Horton, the bill is made Special Order No. 2 for Friday, February 19, 1943.

S. B. 123, a bill to amend Chapter 343 of the Public Laws of 1929, relating to domestic relations courts.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 154, a bill conferring emergency war powers upon the Governor to protect the lives and property of the people of the State and promote the security of the State and nation during the existing state of war.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 205, a bill to validate corporate acknowledgments taken under certain conditions.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 210, a bill to provide for the apportionment of federal estate taxes among the beneficiaries of the estate upon which said taxes were assessed.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 213, a bill to amend Chapter 198 of the Public Laws of 1921, providing for the registration of official discharges from the military and naval forces of the United States in the United States in the office of the register of deeds in the several counties of the State.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 222, a bill to amend Chapter 53 of the Public Laws of 1935, as amended by Chapter 124 of the Public Laws of 1937, relating to the powers and duties of the North Carolina Commission for the Blind.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 40, a bill to allow instruments to be proved or acknowledged before certain Army, Navy, Coast Guard, Marine, and Merchant Marine officers, and to validate such proof or acknowledgments heretofore taken.

Passes its second and third readings and is ordered enrolled.

H. B. 41, a bill to allow the taking of depositions by officers of the United States Army, Navy, Coast Guard, Marine Corps, and Merchant Marine.

Passes its second and third readings and is ordered enrolled.

H. B. 63, a bill to authorize county commissioners to provide compensation for members of rationing boards while in the actual performance of their duties.

Upon motion of Senator Horton, action on the bill is deferred until tomorrow.

H. B. 168, a bill to amend Section 1 of Chapter 265 of the Public Laws of 1929, the same being "An Act relative to the division of territory and transfer of patients of the State hospitals, so as to allow the authorities of the State Hospital at Morganton in their discretion to admit members of the eastern band of Cherokee Indians."

Passes its second and third readings and is ordered enrolled.

H. B. 223, a bill to fix age limits for membership in the North Carolina State Guard.

Passes its second and third readings and is ordered enrolled.

H. B. 224, a bill to amend Section 2165 of Volume 1 of the Consolidated Statutes of North Carolina, so as to exclude guardians, whose bond is executed by a surety company, from the provisions of said Section.

Passes its second and third readings and is ordered enrolled.

H. B. 237, a bill to make the provisions of Chapter 8, Public Laws of 1939, known as "Veterans Employment Preference Act" applicable to the veterans of the present war.

Passes its second and third readings and is ordered enrolled.

H. B. 255, a bill to validate certain trustees' deeds from which grantors' seals have been omitted.

Passes its second and third readings and is ordered enrolled.

H. B. 257, a bill to provide for a simpler form of corporate acknowledgment.

Passes its second and third readings and is ordered enrolled.

H. B. 260, a bill to amend Section 2329 of the Consolidated Statutes, as amended, to include among those exempted from jury duty, radio broadcast technicians and announcers.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives, for concurrence in the Senate amendment.



H. B. 271, a bill exempting members of the military forces from the provisions of Section 5791 of the Consolidated Statutes, relating to filling vacancies on the board of trustees of the University of North Carolina.

Passes its second and third readings and is ordered enrolled.

H. B. 320, a bill amending Chapter 331 of the Public Laws of North Carolina of 1929, the same being "An Act amending Chapter 56 of the Consolidated Statutes of North Carolina, relating to special assessments, and extending the statute of limitations from ten years from the default in the payment of any unpaid assessments. to fifteen years.

Passes its second and third readings and is ordered enrolled.

#### SPECIAL MESSAGE FROM THE GOVERNOR

The following message is received from His Excellency, Governor J. Melville Broughton:

Thursday, February 18, 1943.

*Mr. President, Mr. Speaker and Members of the General Assembly:*

Under the provisions of joint resolutions 27 and 34 of the General Assembly of North Carolina, Session 1941, the Governor was authorized and directed to appoint a commission for the special purpose of studying the rules of practice and procedure of the various State administrative agencies, with the view in mind of formulating certain uniform rules of practice and procedure for the various administrative agencies, and to make a report and recommendations to the next Session of the General Assembly. I appointed as members of this commission the following:

I. M. Bailey  
R. P. Reade  
W. I. Halstead  
Irving E. Carlyle  
Thomas J. Gold  
J. Hampton Price  
Julius C. Smith

The commission has filed its report, setting forth the need for uniformity of practice as affecting the administrative agencies of the State, but further reporting that in view of the magnitude of the task involved, the unusual conditions existing and the lack of time essential for the task it is desirable that the commission have further time to study this subject and be permitted to report its final conclusions to the next Session of the General Assembly. The commission further recommends that an act be passed at this Session requiring all of such administrative agencies to file within ninety (90) days with the Secretary of State a copy of all regulations and rules of procedure, to the end that the same may be available to the commission for full examination.

A full copy of the report of the commission is transmitted herewith.

The message with the report is referred to Committee on Judiciary No. 1.

Upon motion of Senator Johnson of Duplin, the Senate adjourns in honor of the memory of Captain W. Monroe Wicker, killed in action in Northern Africa, to meet tomorrow at 12 o'clock M.

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### THIRTY-NINTH DAY

SENATE CHAMBER,  
Friday, February 19, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Bailey, the courtesies of the lobby are extended to Sergeant George Watson, stationed in Albuquerque, New Mexico, son of Senator Watson of Nash County.

Upon motion of Senator Lanier, the courtesies of the lobby are extended to W. I. Bissette and Brown Hodges of Grifton, N. C.

Upon motion of Senator Hudgins, the courtesies of the lobby are extended to Mrs. Clyde A. Shreve, wife of Representative Shreve of Guilford County.

Upon motion of Senator Watkins, the courtesies of the lobby are extended to Claude T. Hall of Person County.

Upon motion of Senator Larkins, seconded by Senator Brooks, the courtesies of the lobby are extended to Mrs. Oscar Barker, wife of Representative Barker of Durham County.

Upon motion of Senator Lanier, the courtesies of the lobby are extended to Messrs. Williams, Worthington and Rasberry of Pitt County.

Upon motion of Senator Wallace, the courtesies of the lobby are extended to G. S. Garriss and I. S. Edwards of Montgomery County.

The President appoints Robert P. Burns, Jr., and Paul Lacy Burns of Roxboro, N. C., as honorary pages of the Senate.

Upon motion of Senator Larkins, Bryan Whitfield Carr, Jr., of Wilson, N. C., is made an honorary page of the Senate.

### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 44, an act to amend Chapter 157 of the Public Laws of 1941, relating to the law enforcement officers' benefit and retirement fund.

S. B. 48, an act to amend Section 956 of the Consolidated Statutes, Volume 1, 1919, as amended by Chapter 156 of the Public Laws of 1931, relating to reports of the clerk of the Superior Court of Greene County.



S. B. 56, an act regulating the salary of clerk of Superior Court of Forsyth County, to establish the right to fees and unallocated interest received by the clerk of Superior Court of Forsyth County, to repeal Chapter 491 of the Public Local Laws of 1935, and for other purposes.

S. B. 73, an act to amend Chapter 199 of the Private Laws of 1921, being "An Act to amend the charter of the city of Concord, relating to the board of cemetery commissioners for the city of Concord, and the amount of funds to be used for the perpetual upkeep and management of Oakwood Cemetery."

S. B. 80, an act to amend Chapter 121 of the Private Laws of 1931, as it relates to the library board of the city of Asheville.

S. B. 81, an act to authorize the board of commissioners of Wilson County to appoint someone other than the register of deeds as clerk of the said board of commissioners.

S. B. 92, an act to amend Chapter 237 of the Private Laws of North Carolina of 1907, nullifying the collection of taxes levied for the years 1930 to 1934, inclusive, for the Canton Graded School District.

S. B. 100, an act to amend Chapter 162 of the Public Local Laws of 1939, relative to the recorder's court of Reidsville Township.

S. B. 101, an act authorizing and empowering the board of county commissioners of Rockingham County to employ and regulate the salaries of deputy clerks of the Superior Court and of other clerical employees.

S. B. 128, an act to amend Chapter 368 of the Public Local Laws of North Carolina of 1911 and Acts amendatory thereto, giving the Canton police court jurisdiction over property owned by the town of Canton in Haywood County and outside the corporate limits of the town of Canton.

S. B. 131, an act to change the name of "Town of Albemarle," set forth in Chapter 384 of Private Laws of 1911, to "City of Albemarle," and provide for the compensation of the commissioners of said city.

S. B. 133, an act relating to the term of office of the treasurer of Mecklenburg County, and the salaries of the register of deeds, chairman of the board of county commissioners, and the collector of revenue of Mecklenburg County.

S. B. 140, an act to repeal Chapter 43 of the Private Laws of the State of North Carolina, 1885, this being "An Act to repeal the charter of the town of Mooresboro."

S. B. 153, an act to provide for the staggering of the terms of county commissioners in Montgomery County, and to provide for the election of county commissioners for a period of four years, and to further extend the term of county commissioner D. J. McLeod, and to fix the salary of county commissioners.

H. B. 40, an act to allow instruments to be proved or acknowledged before certain Army, Navy, Coast Guard, Marine, and Merchant Marine officers, and to validate such proofs or acknowledgments heretofore taken.

H. B. 41, an act to allow the taking of depositions by officers of the United States Army, Navy, Coast Guard, Marine Corps and Merchant Marine.

H. B. 131, an act to provide for the appointment, salary and duties of an assistant solicitor for the Twelfth Judicial District to assist in the prosecution of the criminal docket for the Superior Court of Guilford County.

H. B. 140, an act to amend Section 1443 of Volume 1 of the Consolidated Statutes of 1919, as amended, relating to the terms of court in Avery County.

H. B. 164, an act to amend Chapter 120, Section 38 of the Public Laws of 1929, relating to the amount of compensation paid to dependents of a deceased employee so as to give those who are both partly dependent and next of kin as defined in said Act an election as to benefits.

H. B. 168, an act to amend Section 1 of Chapter 265 of the Public Laws of 1929, the same being "An Act relative to the division of territory and transfer of patients of the State hospitals, so as to allow the authorities of the State Hospital at Morganton in their discretion to admit members of the Eastern Band of Cherokee Indians."

H. B. 195, an act to amend Chapter 416 of the Public Local Laws of 1939, which is an act to fix minimum jail fee for turnkey fee for the sheriff of Wilkes County and to fix the custody and management of the jail of Wilkes County, in order to raise the fee therein allowed for the care of prisoners.

H. B. 223, an act to fix age limits for membership in the North Carolina State Guard.

H. B. 224, an act to amend Section 2165 of Volume 1 of the Consolidated Statutes of North Carolina so as to exclude guardians, whose bond is executed by a surety company, from the provisions of said Section.

H. B. 237, an act to make the provisions of Chapter 8, Public Laws of 1939, known as "Veterans Employment Preference Act" applicable to the veterans of the present war.

H. B. 243, an act to validate the establishment of Cumberland County Drainage District No. 3 and to validate the proceedings taken by the board of drainage commissioners of said district to authorize refunding bonds to refund outstanding bonds of said district and to provide for the payment of such refunding bonds and the administration of the affairs of said district.

H. B. 248, an act to amend Section 6264 of the Consolidated Statutes of 1919 to change the title of the Insurance Commissioner to Commissioner of Insurance.

H. B. 255, an act to validate certain trustees' deeds from which grantors' seals have been omitted.

H. B. 257, an act to provide for a simpler form of corporate acknowledgment.

H. B. 261, an act to fix the fees of jurors in Martin County.

H. B. 264, an act to amend Chapter 243 of the Public Local Laws of 1911, relating to the Cleveland County court, and to make provisions with respect to a Kings Mountain Recorder's Court.

H. B. 271, an act exempting members of the military forces from the provisions of Section 5791 of the Consolidated Statutes, relating



to filling vacancies on the Board of Trustees of the University of North Carolina.

H. B. 274, an act to fix the salaries and compensation of certain officers of Bladen County by amending Chapter 398, Public Local Laws of 1933.

H. B. 288, an act to provide for the transfer of cases from the recorder's court of Tyrrell County to the Superior Court when jury trials are requested.

H. B. 293, an act to repeal Chapter 246 of the Public Local Laws of Session 1935, relating to the salary of the constable of Wilmington Township, New Hanover County.

H. B. 311, an act to amend Chapter 762 of the Public Local Laws of 1915, relating to the drawing of jurors in the recorder's court of Warren County.

H. B. 316, an act to fix the Hertford County jailer's allowance for prisoners' board, and to fix the turnkey fee.

H. B. 320, an act amending Chapter 331 of the Public Laws of North Carolina of 1929, the same being "An Act amending Chapter 56 of the Consolidated Statutes of North Carolina, relating to special assessments, and extending the statute of limitations from ten years to fifteen years from the default in the payment of any unpaid assessments.

H. B. 326, an act to empower the board of aldermen of the city of Rocky Mount to relieve churches from paving assessments.

H. B. 331, an act to amend Chapter 95 of the Private Laws of 1897, relating to the charter of the town of Winterville.

H. B. 332, an act to fix the salary of the county accountant in Clay County.

H. B. 344, an act to provide for the setting of the salary of the deputy sheriff of Franklin County.

H. B. 353, an act to amend Chapter 168 of the Public Local Laws of 1935, relating to the charter of the city of Reidsville.

H. B. 367, an act to fix the jury fees for the Washington County Recorder's Court.

H. B. 372, an act to amend Chapter 124 of the Public Local Laws, 1933, placing the amount of salary of the recorder of Camden County in the discretion of the board of county commissioners.

H. B. 380, an act to relieve Bertie County from liability under Section 1681 of Volume 1 of the Consolidated Statutes of 1919 for damages or injuries caused by dogs to poultry or fowls.

H. B. 431, an act to repeal Section 1 of Chapter 196 of the Public Local Laws of 1931, allowing the clerk of the Superior Court to receive fees as clerk of the county recorder's court; to amend Section 5 of Chapter 160 of the Public Local Laws of 1929, which fixes the salary of the clerk, to provide a salary for services as clerk of the county recorder's court; and to provide for payment of salary to a deputy clerk of the Superior Court.

## ENGROSSED BILLS

Senator Poindexter, for the Committee on Engrossed Bills, reports the following bill as properly engrossed, and the same is ordered sent to the House of Representatives:

S. B. 154, a bill conferring emergency war powers upon the Governor to protect the lives and property of the people of the State and promote the security of the State and Nation during the existing state of war.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Watkins, for the Committee on Counties, Cities and Towns:

S. B. 233, a bill to incorporate the town of Benson, define its corporate limits and to provide for its government; to repeal the charter of the present town of Benson and Acts amendatory thereto, except as provided herein, with a favorable report.

S. B. 242, a bill to amend Chapter 305 of the Public Local Laws of 1935, providing for adjustment of delinquent taxes by making said Chapter applicable to municipalities in Columbus County, with a favorable report.

S. B. 245, a bill to repeal Chapter 327 of the Public Local Laws of 1935, relating to time of sale of land for taxes in Columbus County, with a favorable report.

S. B. 246, a bill to extend the terms of office of the county commissioners, the register of deeds, the recorder and the solicitor of the Iredell County Recorder's Court to December, 1946, and to provide for four-year terms thereafter, with a favorable report.

S. B. 247, a bill to change the term of office of the mayor of the city of Statesville from two years to four years, with a favorable report.

H. B. 376, a bill to extend the term of office of the chairman and members of the board of commissioners of Macon County and to provide for the election and compensation of the members of said board, with a favorable report.

H. B. 435, a bill to authorize the city of High Point to pay from federal funds now or hereafter in its possession for work done and services performed by certain contractors and others on a hydro-electric project on the Yadkin River to North Carolina, which the city is now liquidating, subject to approval of Public Works Administration of Federal Works Agency of the United States of America, with a favorable report.

H. B. 470, a bill to amend Chapter 407, Public Laws of 1937, known as "The Motor Vehicle Law of 1937," with reference to electric trolley coaches at Greensboro and vicinity, with a favorable report.

H. B. 474, a bill to repeal Chapter 103 of the Private Laws of 1935, relating to the incorporation and management of the Walnut Hill Cemetery in Ashe County, with a favorable report.



H. B. 183, a bill to incorporate the town of Aquadale in Stanly County, with a favorable report.

By Senator McKee, for the Committee on Public Welfare:

S. B. 217, a bill to amend Chapter 288, Public Laws of 1937, as amended, and to repeal Chapter 120 and Section 5, Chapter 226, Public Laws of 1931, to provide uniform residence requirements for applicants for assistance, with a favorable report.

By Senator O'Berry, for the Committee on Finance:

H. B. 144, a bill to control the production, importation, exportation, transportation and sale of wine, and to amend and repeal existing laws in conflict with this Act, with a favorable report, as amended.

H. B. 301, a bill to authorize the county commissioners of Davidson County to direct the board of elections to call an election for the purpose of submitting to the voters of said county the question of whether a tax shall be levied to support the free public library, with a favorable report.

H. B. 405, a bill to make retroactive the provisions of a regulation of the North Carolina Department of Revenue, Sales and Use Tax Division in regard to application of sales and use taxes to oculists, optometrists and opticians, in order to remedy inequalities in taxation, with a favorable report.

By Senator Johnson of Duplin, for the Committee on Judiciary No. 1:

S. R. 200, a joint resolution authorizing an investigation of feeble-minded negroes in the Goldsboro State Hospital and other places, and providing for a report and making of recommendations with respect thereto, with a favorable report.

S. R. 223, a joint resolution creating a Zebulon Baird Vance Memorial Commission and defining the duties thereof, with a favorable report.

S. B. 232, a bill to amend Section 101 of Volume 1 of the Consolidated Statutes of North Carolina, which discharges representatives of a decedent from liability for assets paid on claims not presented within twelve months from the date of the first publication of general notice to creditors, with a favorable report.

S. B. 225, a bill to amend Article XIII of Chapter 96 and Chapter 121 of the Consolidated Statutes, as amended, and Chapter 219 of the Public Laws of 1927, as amended, relating to the management of the Stonewall Jackson Manual Training and Industrial School, the Eastern Carolina Industrial School for Boys, the Industrial Farm Colony for Women, the State Home and Industrial School for Girls and the Morrison Training School, so as to provide for the appointment of a unified board of directors for such institutions and to provide for the appointment of a general superintendent and a general business manager thereof, with a favorable report.

S. B. 229, a bill to require any person authorized by law to perform marriage ceremonies to return the license of marriage to the register of deeds within two days after the celebration of such marriage, with a favorable report, as amended.

H. B. 162, a bill to provide for the probate of wills of members of the armed forces of the United States, with a favorable report.

H. B. 318, a bill to authorize the attestation of deeds of banks by the secretary or an assistant secretary or by the cashier or an assistant cashier, with a favorable report.

H. B. 418, a bill to amend Section 579 of the Consolidated Statutes of North Carolina, so as to permit either party to file exceptions to the report of a referee within thirty days from the filing thereof, with a favorable report.

S. B. 235, a bill to provide the method of selection of the judge and the prosecuting attorney of the general county court of Duplin County and to provide for the appointment of an assistant judge and assistant prosecuting attorney for said court, with a favorable report.

S. B. 237, a bill to authorize the clerk of the Superior Court of Iredell County to reappoint the commissioners of the Iredell-Rowan Drainage District No. 1, and ratifying actions of said commissioners heretofore appointed, with a favorable report.

S. B. 240, a bill to require each State agency of the State of North Carolina which has been created by statute and exercises regulatory, administrative or semi-judicial functions, to file with the Secretary of State, copies of administrative rules and regulations or rules of practice and procedure and amendments thereto, with a favorable report.

S. B. 84, a bill to amend Chapter 25 of the Public Laws of 1941, creating a Teachers and State Employees Retirement System in North Carolina, to permit the board of trustees to make regulations preventing injustices and inequalities not otherwise covered by the Act and to permit the re-employment of teachers and State employees who have been retired on account of age when needed during any emergency, with a favorable report, as amended.

H. B. 200, a bill to amend Section 492 of the Consolidated Statutes, relating to the defense of actions after judgment on substituted service by exempting actions for the foreclosure of county and municipal taxes from the operation of said Section, with a favorable report, as amended.

H. B. 424, a bill to except Rowan County from certain provisions of Section 1681 of the Consolidated Statutes, with a favorable report.

H. B. 145, a bill to amend Section 7982 of Volume 2 of the Consolidated Statutes of North Carolina of 1919, relating to forfeiture of life estate in real estate for failure to pay taxes, with an unfavorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Blythe: S. B. 254, a bill to declare the necessity of creating public bodies corporate and politic to be known as hospital authorities to engage in hospital construction, maintenance and operation and or projects to provide hospital accommodations; to provide for the creation of such hospital authorities; to define the powers and duties of hospital authorities and to provide for the exercise of such powers, including acquiring property by purchase, gift or eminent domain, and including borrowing money, issuing revenue and credit



bonds and other obligations, and giving security therefor; to confer remedies on obligees of hospital authorities; to provide that hospital authorities, and certain property and securities thereof shall be tax exempt.

Referred to Committee on Finance.

By Senator Hudgins: S. B. 255, a bill to amend Chapter 98 of the Public Laws of 1941, relating to establishment of an airport authority for the maintenance of airport facilities in the county of Guilford for the citizens of Greensboro, High Point, Guilford County and vicinity.

Referred to Committee on Counties, Cities and Towns.

By Senator Hudgins: S. B. 256, a bill to amend Section 6 of Chapter 100 of the Public Laws of North Carolina, Session 1927, relating to election of members of sanitary district boards.

Referred to Committee on Election Laws.

By Senator Hudgins: S. B. 257, a bill to validate certain outstanding obligations of the Greensboro-High Point Airport Authority.

Referred to Committee on Finance.

By Senator Matheny: S. B. 258, a bill to authorize the State Board of Education to sell notes, obtained from loans made from the State literary fund, to the board of trustees of the Teachers and State Employees Retirement System of North Carolina.

Referred to Committee on Education.

By Senator Ballentine: S. B. 259, a bill requiring certain bonds or guaranty or indemnity contracts to state their maximum liability, and specify the period of their coverage.

Referred to Committee on Judiciary No. 1.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 46, a bill to provide that all county officers of Currituck County shall furnish at their own expense all bonds required of them by Statute.

Referred to Committee on Counties, Cities and Towns.

H. B. 100, a bill to amend Section 593 and Section 597 (b) of Volume 3 of the Consolidated Statutes of North Carolina, and to repeal Section 597 (c) of Volume 3 of the Consolidated Statutes of North Carolina, so as to permit the clerk of the Superior Court to enter judgments on any day in the week except Sunday.

Referred to Committee on Judiciary No. 2.

H. B. 226, a bill to amend Section 2591 of the Consolidated Statutes of North Carolina, which regulates the reopening of sales of real estate upon an advanced bid, so as to limit the deposit on an increased bid to a minimum of \$20.00 and to increase the amount required on bids in excess of \$500.00.

Referred to Committee on Judiciary No. 2.

H. B. 287, a bill to authorize the town of Bessemer City in Gaston County to sell at private sale property purchased by it at a tax foreclosure sale.

Referred to Committee on Counties, Cities and Towns.

H. B. 302, a bill to fix the salaries for the deputy sheriffs of Davidson County.

Referred to Committee on Salaries and Fees.

H. B. 319, a bill to extend the jurisdiction of police officers of the town of Huntersville, in Mecklenburg County, to include all of the territory situated within one mile of the corporate limits of said town.

Referred to Committee on Counties, Cities and Towns.

H. B. 328, a bill to validate all sales for taxes made by the sheriff of Chatham County for the years 1940 and 1941.

Referred to Committee on Counties, Cities and Towns.

H. B. 336, a bill to amend Chapter 130 of the Public Laws of 1941, relative to the organization and management of mutual burial associations and to provide for supervision thereof.

Referred to Committee on Judiciary No. 2.

H. B. 337, a bill relating to the office of the clerk of the Superior Court of Jones County.

Referred to Committee on Counties, Cities and Towns.

H. B. 355, a bill to aid in the collection of delinquent taxes in Transylvania County and the town of Brevard.

Referred to Committee on Counties, Cities and Towns.

H. B. 356, a bill authorizing the board of commissioners of Transylvania County to appropriate to the general fund all taxes due the county more than two years delinquent.

Referred to Committee on Counties, Cities and Towns.

H. B. 359, a bill authorizing, empowering and directing the board of county commissioners of Onslow County to deposit all sums of money collected from taxes for the year 1934, and years prior thereto, to the county general fund and school fund, said amounts to be divided equally.

Referred to Committee on Counties, Cities and Towns.

H. B. 360, a bill to divide the town of Jacksonville into four political divisions or wards and to provide for each to be represented on the city council by a commissioner or aldermen and to fix compensation for the mayor and members of the board of commissioners or aldermen and to change the names of certain streets in said town.

Referred to Committee on Counties, Cities and Towns.

H. B. 362, a bill amending Chapter 109 of the Private Laws of 1933, the same being entitled "An Act relating to special assessments levied by the city of Greensboro."

Referred to Committee on Counties, Cities and Towns.

H. B. 366, a bill to abolish the office of treasurer of Washington County and to name a bank to act as a depository in lieu thereof.

Referred to Committee on Counties, Cities and Towns.

H. B. 383, a bill to fix the salaries of the board of county commissioners of Bertie County.

Referred to Committee on Salaries and Fees.

H. B. 384, a bill to separate the offices of the sheriff and jailer for Bertie County.

Referred to Committee on Counties, Cities and Towns.



H. B. 390, a bill to authorize the governing bodies of Transylvania County and the town of Brevard, by written agreement to provide for the joint collection of taxes for said county and town.

Referred to Committee on Counties, Cities and Towns.

H. B. 392, a bill to amend Chapter 556 of the Public Local Laws of 1937, relating to term of office of the county accountant of Franklin County.

Referred to Committee on Counties, Cities and Towns.

H. B. 393, a bill to amend Chapter 215 of the Public Local Laws of 1933, as amended by Chapter 111 of the Public Local Laws of 1935, relating to the salary of the sheriff of Franklin County.

Referred to Committee on Salaries and Fees.

H. B. 394, a bill to amend Section 1567 of the Consolidated Statutes to provide that the recorder's court of Franklin County shall not assume jurisdiction of criminal cases within the original jurisdiction of justices of the peace until the expiration of six months after the commission of such crimes.

Referred to Committee on Courts and Judicial Districts.

H. B. 395, a bill to amend Chapter 137 of the Public Local Laws of 1935 as amended by Chapter 267 of the Public Local Laws of 1937, relating to the salary of the clerk of the Superior Court of Franklin County and to the salary and appointment of deputy clerks of said court.

Referred to Committee on Salaries and Fees.

H. B. 399, a bill to amend Chapter 651 of the Public Laws of 1909, as amended, the same being entitled "An Act to establish a municipal court for the city of Greensboro and prescribe the jurisdiction thereof."

Referred to Committee on Courts and Judicial Districts.

H. B. 400, a bill to provide for the compensation of the members of the board of county commissioners of Rutherford County.

Referred to Committee on Salaries and Fees.

H. B. 401, a bill to provide for a special school tax election in the Victory School District in Gaston County.

Referred to Committee on Counties, Cities and Towns.

H. B. 402, a bill to amend Chapter 761 of the Public Local Laws of 1913, as amended, so as to provide for the removal of judges and solicitors and filling vacancies in the several recorders' courts of Robeson County.

Referred to Committee on Courts and Judicial Districts.

H. B. 403, a bill to provide for the removal of causes from one recorder's court to another in Robeson County and for the appointment of assistant recorders and assistant solicitors of said courts.

Referred to Committee on Courts and Judicial Districts.

H. B. 404, a bill to amend Chapter 65 of the Private Laws of 1925, relating to the officers of the town of Fairmont, so as to provide salaries for the mayor and town commissioners.

Referred to Committee on Salaries and Fees.

H. B. 410, a bill providing for the appointment of a court reporter for Greene County, North Carolina.

Referred to Committee on Counties, Cities and Towns.

H. B. 419, a bill relating to the fixing of fees of the sheriff, constables and justices of the peace of Jones County.

Referred to Committee on Salaries and Fees.

H. B. 420, a bill to amend Chapter 302 of the Public Local Laws of 1941, relating to the fees to be collected by the clerk of the Superior Court of Guilford County.

Referred to Committee on Salaries and Fees.

H. B. 426, a bill to amend Chapter 360 of the Public Local Laws of 1939 to allow the county commissioners of Caswell County, in their discretion, to increase the allowance to the tax collector for clerical hire.

Referred to Committee on Counties, Cities and Towns.

H. B. 427, a bill to amend Chapter 100 of the Public Laws of 1927, as amended, to confer additional powers on the sanitary districts in Caswell County.

Referred to Committee on Counties, Cities and Towns.

H. B. 428, a bill to amend the charter of the town of Roxboro, Chapter 168, Private Laws of 1887.

Referred to Committee on Counties, Cities and Towns.

H. B. 430, a bill to amend Section 3907 of the Consolidated Statutes to provide fees for the register of deeds of Carteret County in certain cases.

Referred to Committee on Salaries and Fees.

H. B. 437, a bill to fix the salary of clerk of the Superior Court of Pasquotank County.

Referred to Committee on Salaries and Fees.

H. B. 438, a bill to authorize the board of commissioners of Anson County to appoint rural policemen and fix their salaries, and to provide for the collection of delinquent taxes.

Referred to Committee on Counties, Cities and Towns.

H. B. 439, a bill to authorize the board of commissioners of Anson County to adjust all delinquent taxes for the year 1935 and all prior years.

Referred to Committee on Counties, Cities and Towns.

H. B. 443, a bill to amend Chapter 453 of the Public Local Laws of 1931 to allow mileage to the chairman of the board of commissioners of Sampson County.

Referred to Committee on Counties, Cities and Towns.

H. B. 444, a bill to amend Chapter 279 of the Public Local Laws of 1913 to increase the pay of the county commissioners of Sampson County.

Referred to Committee on Salaries and Fees.

H. B. 445, a bill to amend Chapter 290, Public Local Laws of 1935, relating to clerk hire for register of deeds of Sampson County.

Referred to Committee on Counties, Cities and Towns.

H. B. 446, a bill to repeal Chapter 63 of the Public Local Laws of 1941 and to amend Chapter 5 of the Public Local Laws of 1937, relating to the duties of public officers of Northampton County.

Referred to Committee on Counties, Cities and Towns.

H. B. 450, a bill to provide compensation for the clerk of the



Superior Court of Washington County for his services as judge of juvenile court.

Referred to Committee on Salaries and Fees.

H. B. 454, a bill to provide a schedule of discounts and penalties on poll and property taxes for the towns of Louisburg, Bunn and Youngsville in Franklin County, North Carolina.

Referred to Committee on Counties, Cities and Towns.

H. B. 455, a bill to amend Chapter 441 of the Public Local Laws of 1937, relating to the salary of the deputy register of deeds of Union County.

Referred to Committee on Salaries and Fees.

H. B. 456, a bill to fix the compensation for the several cotton weighers in Union County.

Referred to Committee on Salaries and Fees.

H. B. 457, a bill to place the register of deeds of Mitchell County on a fee basis and to prescribe said fees.

Referred to Committee on Salaries and Fees.

H. B. 458, a bill to repeal Chapter 442 of the Public Local Laws of 1941, relating to the auditing of funds of Mitchell County.

Referred to Committee on Counties, Cities and Towns.

H. B. 459, a bill relating to the salary of the members of the board of county commissioners of Lenoir County.

Referred to Committee on Salaries and Fees.

H. B. 460, a bill to amend the charter of the city of Kinston, relating to the compensation of the mayor and members of the board of aldermen of said city.

Referred to Committee on Salaries and Fees.

H. B. 462, a bill to repeal Chapter 62 of the Public Local Laws of 1929 and to amend Chapter 383 of the Public Local Laws of 1925 fixing the salary of the sheriff of Currituck County.

Referred to Committee on Counties, Cities and Towns.

H. B. 463, a bill to provide for a survey of certain property and State waters in Currituck County.

Referred to Committee on Counties, Cities and Towns.

H. B. 464, a bill to amend Chapter 389 of the Public Laws of 1937, as amended by Chapter 96 of the Public Laws of 1939, applicable to Currituck County.

Referred to Committee on Counties, Cities and Towns.

H. B. 465, a bill to require the sureties of official bonds in Currituck County to be surety, indemnity or guaranty companies authorized to do business in North Carolina.

Referred to Committee on Counties, Cities and Towns.

H. B. 484, a bill to authorize the town of Louisburg to convey certain property in the town of Louisburg.

Referred to Committee on Judiciary No. 2.

H. B. 496, a bill to fix the compensation of the county surveyor of Surry County.

Referred to Committee on Salaries and Fees.

S. B. 157, a bill to create an additional commissioner's district for

the county of Robeson to be known as district No. 6, for concurrence in the House amendment.

The bill is placed upon the Calendar for concurrence in the House amendment.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 216, a bill to enable the commissioners of Alamance County to pay a war bonus to its employees, upon third reading.

The bill passes its third reading by roll call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Sanders, Smith, Taylor, Wallace, Watkins, Weathers, Whitaker, Wilson—45.

The bill is ordered sent to the House of Representatives.

S. B. 224, a bill to incorporate the Richmond County Country Club Commission, upon third reading.

The bill passes its third reading by roll call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Sanders, Smith, Taylor, Wallace, Watkins, Weathers, Whitaker, Wilson—45.

The bill is ordered sent to the House of Representatives.

S. B. 251, a bill to repeal Chapter 95 of the Public Local Laws of 1919, relative to the compensation of the cotton weigher of Cabarrus County and to amend Chapter 238 of the Public Laws of 1895 so as to fix the compensation of said cotton weigher, upon second reading.

The bill passes its second reading by roll call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Sanders, Smith, Taylor, Wallace, Watkins, Weathers, Whitaker, Wilson—45.

S. B. 174, a bill to fix the membership of the board of education of Graham County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 189, a bill authorizing the transfer of certain assets to the general funds of Montgomery County.



Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 190, a bill to repeal Chapter 208 of the Public Local Laws of 1925 relative to the issuance of bonds by the governing bodies within Montgomery County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 191, a bill to place all schools in Halifax Township under the supervision, control and direction of the Halifax County Board of Education.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 280, a bill to provide a hog cholera prevention program for Currituck County and to permit the sale and use of hog cholera vaccine therefor.

Passes its second and third readings and is ordered enrolled.

H. B. 338, a bill to amend Chapter 385 of the Public Local Laws of 1921, relating to pensions for school teachers in New Hanover County, to provide that any payment from the State Retirement System Fund be deducted from the pension allowed by the county, and to change date of payments.

Passes its second and third readings and is ordered enrolled.

H. B. 365, a bill to authorize the employment of a county superintendent of schools in Tyrrell County during the present emergency.

Passes its second and third readings and is ordered enrolled.

H. B. 413, a bill to tax and regulate professional bondsmen in Wayne County.

Passes its second and third readings and is ordered enrolled.

#### SPECIAL ORDER

The hour having arrived for the consideration of Special Order No. 1, the President lays before the Senate Special Order No. 1, it being S. B. 29, a bill to amend the Constitution providing for the organization of the State Board of Education.

Senators O'Berry and Brooks withdraw the amendments previously offered by themselves.

Senator Brooks offers an amendment.

Upon motion of Senator Brooks, action on the bill is deferred until Monday, February 22, 1943, and is made a Special Order at that time.

The hour having arrived for the consideration of Special Order No. 2, the President lays before the Senate Special Order No. 2, it being S. B. 54, a bill to amend the School Machinery Act of 1939, to provide for a nine-months school term.

The amendments offered by the Committee, held not to be material, are adopted.

Senator Johnson of Halifax offers several amendments.

Senator Chaffin moves that action on the bill be deferred until tomorrow.

The motion fails to prevail.

The amendments offered by Senator Johnson of Halifax fail of adoption.

Senator Funderburk offers an amendment which fails of adoption.

Senator Weathers offers an amendment which fails of adoption.

Senator Larkins moves that the Senate recess until this afternoon at 4 o'clock.

The motion fails to prevail.

The bill, as amended, passes its second reading by roll call vote ayes 41, noes 5, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Lanier, Larkins, Leary, Matheny, Mitchell, McKee, Pittman, Poin-dexter, Sanders, Smith, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—41.

Those voting in the negative are: Senators Johnson of Halifax, O'Berry, Palmer, Taylor, Weathers—5.

Senator Weathers submits the following explanation of his vote on the bill, which is ordered recorded in the Journal:

"I am in favor of the ninth month as an after war objective for the school system in North Carolina, but am opposed to instituting the ninth month until July 1944. I think the present eight months school term should be revitalized by the increase in teachers' pay, the twelfth grade instituted on a state-wide basis and the new State Board of Education given ample time to acquaint themselves with the operation of the school system before the ninth month is inaugurated.

"My further reason for opposing the bill, as submitted, is that it is optional in the various school districts. I think if the ninth month is instituted it should not be optional but compulsory. To exercise the option locally will cause no end of confusion among the patrons and school authorities."

Senator Taylor submits the following explanation of his vote on the bill, which is ordered recorded in the Journal:

"After vainly endeavoring to have the Senate adopt an amendment to place the same in effect on July 1, 1944, instead of an July 1, 1943, I have voted in the negative on S. B. 54 on the second reading thereof for the purpose of registering my disapproval of a course that may result in a serious deficit at the end of the Biennium 1943-45 and adversely affect our entire school system.

"I reserve the right, however, to change my vote on this bill on the third reading thereof if the result of certain investigations now being undertaken enable me consistently to do so.

"As Chairman of the Senate Committee on Appropriations it has been my privilege to familiarize myself with the financial condition of the State, mark the progress of the Revenue Act of 1943, and acquaint myself as fully as possible relative to revenue trends, and the general picture at the moment, under present abnormal economic conditions, does not look well. The State is headed for financial difficulties within the course of the next three to four years as surely as the day follows the night, and our bitter experiences in the past



should cause us to exercise extreme caution in the matter of expenditures and the expansion of existing services and facilities.

"On yesterday, the Commissioner of Revenue released his latest estimates of General Fund revenues for the remainder of the fiscal year and for the Biennium 1943-45 which, taken in conjunction with appropriations by this General Assembly, including the cost of the addition of the ninth month to the present State-wide and State-supported eight months school term, is very informative, and it is my desire to incorporate in this statement the figures relating to availability of funds and appropriation thereof, as follows, to wit:

#### GENERAL FUND AVAILABILITY

Estimated Surplus June 30, 1943.....	\$ 33,463,399
Less: State Post-War Reserve Fund.....	20,000,000

Net Surplus Available for Expenditure.....	\$ 13,463,399
Estimated Revenue Biennium 1943-45.....	105,386,028

Total Available for Expenditure for Biennium 1943-45.....	\$118,849,427
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#### GENERAL FUND APPROPRIATIONS

War Bonus one-half 1942-43.....	\$ 1,699,338
Appropriation Bill for Biennium 1943-45.....	113,683,432
Appropriations for 9th Month to School Term.....	7,014,308

	\$122,397,078
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Estimated Deficit at end of Biennium 1943-45.....	\$ 3,547,651
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"It will be noted from the foregoing that the estimated General Fund deficit at the end of the Biennium 1943-45, assuming there is no shrinkage in revenues during the Biennium, is just about the cost of the operation of the ninth month of the school term for one fiscal year. It seems to me that the only safe course to pursue would be to wait until the beginning of the second fiscal year of the coming Biennium, or until July 1, 1944, to begin the regular nine months term. By doing this, this General Assembly would at least adjourn without the figures disclosing that the State will be in the red on July 1, 1945. Then, too, we would in a measure be heeding the advice and counsel of the Director of the Budget and the members of the Advisory Budget Commission as set forth on pages XXII, XXIII, XXIV, XXV, XXVI, XXVII, XXVIII, XXIX, XXX and XXXI of The Budget Report transmitted to this General Assembly.

"Your attention is directed to the fact that this General Assembly is appropriating from the General Fund, including provisions for the ninth month to the school term, and for the remainder of the present fiscal year, the sum of \$17,011,050 more money than the estimated revenues during the Biennium 1943-45. \$13,463,399 of this sum is all of the surplus anticipated as at June 30, 1943, that has not been placed in the State Post-War Reserve Fund, and the remainder of \$3,547,651 is the estimated deficit at the end of the Biennium 1943-45 that would have to be taken from the Post-War Reserve Fund, re-

ducing that fund to \$16,452,349. We are actually spending more of the estimated surplus than we are presuming to save for the rainy day, and I cannot feel that this is good business.

"My position with reference to the State-wide and State-supported nine months school term is well known to the Senate. I am wholeheartedly in favor thereof when, as, and if the same may with safety be put in effect. We have the nine months school term in my home town and it was my privilege to vote for a special tax levy in connection therewith; however, I seriously doubt the wisdom of the State launching forthright into the program this year under present economic conditions.

"There is the grave possibility that estimated General Fund revenues for the coming Biennium are too liberal. It is entirely possible that franchise tax collections may exceed estimates, but I am rather of the opinion that the collection of sales and income taxes will be below estimates, and it should be borne in mind that the latter schedules are our principal sources of revenue. In these uncertain times, it is quite possible that the State may end the Biennium 1943-45 with a deficit far in excess of the estimated three to four millions as set forth in the above analysis.

"It is my desire to try to find a way to vote 'aye' when Senate Bill 54 comes up for its third reading on tomorrow. To do this, certain considerations are being carefully weighed, to wit: (1) The bill has been amended to authorize the Governor to reduce the term from 180 to 170 days if there should be a substantial decrease of revenues during the Biennium. If ten days were stricken from the school term for each of the fiscal years of the Biennium the cost of maintaining the ninth month would be reduced by between three and four million dollars; (2) I am confident that the General Appropriations Bill of 1943, providing for the maintenance of mental and correctional institutions, carries about one-half million dollars that cannot possibly be spent during the Biennium; (3) I am equally confident that not more than 75% of the Counties of the State will exercise the option to have the ninth month during the first year of the Biennium, and that not more than 85% of the Counties will exercise the option during the second year of the Biennium; and (4) It is more than likely that the Federal Government will practically take over in their entirety at an early date the University of North Carolina at Chapel Hill, State College at Raleigh, the A. & T. College at Greensboro, and the North Carolina College for Negroes at Durham, to be used in the War effort. These considerations and contingencies may lead me to the conclusion that it will be possible for the State to skim through the next Biennium without serious financial embarrassment; however, I go back to my original observation that we are eventually headed for trouble. I should regret for the day to come when North Carolina may be forced to operate a State-wide and State-supported nine months school term on the same amount of money that we are presently appropriating for the maintenance of the eight months term."

Upon motion of Senator Larkins, the Senate recesses to meet this afternoon at 4 o'clock.



## AFTERNOON SESSION

SENATE CHAMBER,  
Friday, February 19, 1943.

The Senate meets pursuant to recess, and is called to order by Lieutenant Governor R. L. Harris.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Ballentine: S. B. 260, a bill to amend Sections 7758 and 7759 of the Consolidated Statutes so as to authorize the use of convicts on the State Test Farms and/or State Experimental Stations.

Referred to Committee on Agriculture.

By Senator Ballentine: S. B. 261, a bill to appoint a commission to preserve the birthplace of Andrew Johnson in Raleigh, North Carolina.

Referred to Committee on Library.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 107, a bill to amend Article V of Chapter 84 of Volume 2 of the Consolidated Statutes of 1919, as amended, relating to commercial feeding stuffs, upon second reading.

The Committee offers several amendments, held not to be material, which are adopted.

The bill, as amended, passes its second reading by roll call vote, ayes 33, noes 0, as follows:

The voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brooks, Brown, Carlyle, Chaffin, Cherry, Cole, Currie, Daniel, Eagles, Evans, Graham, Gregory, Hodges, Horton, Johnson of Duplin, Johnson of Halifax, Larkins, Matheny, Mitchell, McKee, O'Berry, Pittman, Poindexter, Smith, Wallace, Weathers, Whitaker—33.

H. B. 108, a bill to amend Article VI of Chapter 84 of Volume 2 of the Consolidated Statutes of 1919, as amended, relating to stock and poultry tonics, upon second reading.

The amendment offered by the Committee, held not to be material, is adopted.

The bill, as amended, passes its second reading by roll call vote, ayes 33, noes 0, as follows:

The voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brooks, Brown, Carlyle, Chaffin, Cherry, Cole, Currie, Daniel, Eagles, Evans, Graham, Gregory, Hodges, Horton, Johnson of Duplin, Johnson of Halifax, Larkins, Matheny, Mitchell, McKee, O'Berry, Pittman, Poindexter, Smith, Wallace, Weathers, Whitaker—33.

S. B. 121, a bill to amend Section 6597 of the Consolidated Statutes

of North Carolina by rewriting said Section so as to change the manner of establishing the Library Commission of North Carolina.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 215, a bill to amend Chapter 393 of the Public Laws of 1937 known as the Soil Conservation Districts Law so as to provide per diem compensation and expense allowances for the supervisors provided for in said Act and to appropriate a sufficient amount to cover said per diem allowance and travel expenses.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 220, a bill to amend Section 4785, Volume 2, of the Consolidated Statutes of 1919, being entitled "An Act to provide for the establishment of standard packages, grades, state brands, and for other purposes."

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 113, a bill to amend Chapter 287 of the Public Laws of 1939, as amended, relating to the elimination of unfit dwellings in cities and towns of more than five thousand population.

Passes its second and third readings and is ordered enrolled.

H. B. 222, a bill to authorize the use of school buses of the transportation of the North Carolina State Guard or the National Guard to and from places of encampment when ordered by the Governor.

Passes its second and third readings and is ordered enrolled.

H. B. 239, a bill to amend Section 16 of Chapter 407 of the Public Laws of 1937 to exempt farm tractors and other farm vehicles from licensing and registration under the Motor Vehicle Law.

Senator O'Berry offers an amendment.

Senator Matheny offers an amendment.

Upon motion of Senator Carlyle, the bill and proposed amendments are re-referred to Committee on Public Roads.

H. B. 284, a bill to amend Chapter 225, Public Laws of 1923, entitled "An Act to provide for the supervision and examination of industrial banks by the Corporation Commission," as amended, so as to provide additional powers to those provided in Section 6 of said Act.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Cherry, the vote by which the bill passed its second and third readings is reconsidered, and upon his motion the bill is laid upon the Table.

H. B. 285, a bill to amend Chapter 154, Public Laws of 1937, adding a new paragraph to Section 220 (a) of the Consolidated Statutes regulating the making of loans generally referred to as personal loans, so as to authorize commercial banks to make personal or industrial loans in the same manner as industrial banks.

Upon motion of Senator Pittman, the bill is laid upon the Table.

H. B. 82, a bill to amend Chapter 25 of the Public Laws of 1941 creating a Teachers and State Employees Retirement System in North



Carolina so as to permit the re-employment of teachers and State employees who have retired on account of age.

Passes its second and third readings and is ordered enrolled.

H. B. 214, a bill to amend Subsection 2 of Section 5, Chapter 25 of the Public Laws of 1941, creating the Teachers and State Employees Retirement System.

Upon motion of Senator Taylor, action on the bill is deferred until Monday, February 22, 1943.

H. B. 351, a bill to amend Section 8 of Chapter 25 of the Public Laws of 1941 creating the Teachers and State Employees Retirement System.

Passes its second and third readings and is ordered enrolled.

H. B. 297, a bill to amend Chapter 196 of the Public Laws of 1941, as to the definition of contract hauler vehicles under the Motor Vehicle Law.

Passes its second and third readings and is ordered enrolled.

H. B. 298, a bill to amend Chapter 407 of the Public Laws of 1937, so as to exclude from the definition of for-hire passenger vehicles, vehicles operated on a "share-the-expense" plan.

Passes its second and third readings and is ordered enrolled.

H. B. 63, a bill to authorize county commissioners to provide compensation for members of rationing boards while in the actual performance of their duties.

Upon motion of Senator Horton, action on the bill is deferred until Tuesday, February 23, 1943.

H. B. 279, a bill to amend Section 1744 of Volume 3 of the Consolidated Statutes of North Carolina, as amended, relative to the sale of contingent remainders, so as to authorize the temporary reinvestment of funds in United States Bonds.

Passes its second and third readings and is ordered enrolled.

H. B. 307, a bill to amend Chapter 114, Public Laws of 1941, the North Carolina Seed Law, to include hybrid corn seed.

Passes its second and third readings and is ordered enrolled.

H. B. 310, a bill to amend Section 7, Chapter 47, Public Laws of 1927, entitled "An Act to amend certain Sections in the present Banking Laws, being Chapter 4, Public Laws of 1921 and amendments thereto," as amended, so as to strike out the Section enacted by said Section 7 and by substituting a new Section for the Section stricken out.

Passes its second and third readings and is ordered enrolled.

H. B. 286, a bill to amend Subsection 1 of Section 4 of Chapter 25, of the Public Laws of 1941 creating the Teachers and State Employees Retirement System.

Passes its second and third readings and is ordered enrolled.

H. B. 314, a bill to authorize the participation by the North Carolina School for the Deaf at Morganton in the free distribution of textbooks and the State textbook rental system operated by the State of North Carolina.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Larkins, the Senate adjourns to meet tomorrow morning at 10 o'clock, at which time only Public Local bills will be considered, and adjournment will be until Monday night at 8 o'clock.

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### FORTIETH DAY

SENATE CHAMBER,  
Saturday, February 20, 1943.

The Senate meets pursuant to adjournment, and in the absence of the Lieutenant Governor R. L. Harris and President *pro tempore* J. Hampton Price, the Principal Clerk S. Ray Byerly calls Senator L. Y. Ballentine to the Chair who calls the Senate to order and presides during the Session.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Weathers for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Cherry, the courtesies of the floor are extended to Representative Rex Gass of Forsyth County.

Upon motion of Senator Carlyle, the courtesies of the floor are extended to Representative B. T. Falls, Jr., of Cleveland County.

Upon motion of Senator Cherry, the courtesies of the lobby are extended to Mrs. Annie B. Cooper of Wake County.

Upon motion of Senator Ballentine, the courtesies of the floor are extended to Representative Arch T. Allen of Wake County.

Upon motion of Senator Cherry, the courtesies of the floor are extended to former Senator Ray G. Carson of Alexander County.

### ENGROSSED BILLS

Senator Poindexter, for the Committee on Engrossed Bills, reports the following bill as properly engrossed, and the same is ordered sent to the House of Representatives:

S. B. 121, a bill to amend Section 6597 of the Consolidated Statutes of North Carolina by rewriting said Section so as to change the manner of establishing the Library Commission of North Carolina.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Johnson of Duplin, for the Committee on Judiciary No. 1.

H. B. 39, a bill to amend Section 4458 of the Consolidated Statutes, so as to regulate the punishment for public drunkenness in Mecklenburg County, with a favorable report, as amended.



## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Ballentine: S. B. 262, a bill relating to withdrawal of deposits from the State Employees' Credit Union.

Referred to Committee on Agriculture.

By Senator Brown, by request: S. B. 263, a bill for the relief of W. A. Hall, former sheriff and tax collector of Yancey County.

Referred to Committee on Counties, Cities and Towns.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 192, a bill to repeal Chapter 95 of the Private Laws of 1935 and to provide for the election of a mayor and board of commissioners for the town of Rutherfordton.

Referred to Committee on Counties, Cities and Towns.

H. B. 196, a bill to require the county commissioners of Brunswick County to sell county property only at public auction and after giving notice.

Referred to Committee on Finance.

H. B. 309, a bill to require the board of county commissioners and the board of education of Currituck County to insure county and school property.

Referred to Committee on Counties, Cities and Towns.

H. B. 358, a bill to amend Chapter 280 of the Private Laws of 1891, the same being the charter of the town of Jacksonville, to allow commissioners of said town to levy a tax for the operation and maintenance of a cemetery.

Referred to Committee on Counties, Cities and Towns.

H. B. 381, a bill authorizing the county commissioners and treasurer of Bertie County to reimburse the sheriff and jailer of Bertie County for settlement of \$1,000 and costs of \$189.65 paid to Elma Lloyd Parrish.

Referred to Committee on Counties, Cities and Towns.

H. B. 408, a bill to authorize McDowell County to establish and maintain a county law library.

Referred to Committee on Counties, Cities and Towns.

H. B. 382, a bill to validate tax levies and tax sales of Bertie County.

Referred to Committee on Counties, Cities and Towns.

H. B. 409, a bill to amend Chapter 360 of the Public Laws of 1907, as amended, relating to the recorder's court of the city of Monroe and Union County.

Referred to Committee on Counties, Cities and Towns.

H. B. 415, a bill to relieve J. W. Cooper, former sheriff of Bertie County, and the estate of A. O. Askew, former deputy sheriff of Bertie County, from further liability for funds lost in defunct Citizens Bank of Windsor.

Referred to Committee on Counties, Cities and Towns.

H. B. 433, a bill to bar the collection of taxes for 1931 and all prior years in Caldwell County.

Referred to Committee on Judiciary No. 2.

H. B. 440, a bill to create a municipal board of elections for the town of Boone in Watauga County.

Referred to Committee on Election Laws.

H. B. 447, a bill authorizing the board of commissioners of Northampton County to levy special taxes for the expenses of Northampton County Library.

Referred to Committee on Finance.

H. B. 449, a bill providing for an extension of the corporate limits of the city of Goldsboro.

Referred to Committee on Counties, Cities and Towns.

H. B. 451, a bill to amend Chapter 125 of the Private Laws of 1901 incorporating the town of Raeford, to provide for vacancy in office of mayor, to change date of election, and to increase tax rate.

Referred to Committee on Counties, Cities and Towns.

H. B. 473, a bill to appoint a county accountant for Yancey County, and to fix his salary and term of office.

Referred to Committee on Counties, Cities and Towns.

H. B. 497, a bill to tax and regulate professional bondsmen in Cumberland County.

Referred to Committee on Judiciary No. 1.

H. B. 369, a bill to amend Section 6141 of the Consolidated Statutes, as amended, to change the title of the Historical Commission to State Department of Archives and History.

Referred to Committee on Judiciary No. 1.

H. B. 436, a bill to provide a hog cholera prevention program for Pasquotank County and to permit the sale and use of hog cholera vaccine therefor.

Referred to Committee on Agriculture.

H. B. 477, a bill relative to the compensation of the sheriff of Macon County for his duties as tax collector.

Referred to Committee on Counties, Cities and Towns.

H. B. 482, a bill to incorporate the Richmond County Airport Commission.

Referred to Committee on Counties, Cities and Towns.

H. B. 493, a bill to amend Chapter 360 of the Private Laws of 1909, as amended, relating to the charter of the town of Kings Mountain.

Referred to Committee on Counties, Cities and Towns.

H. B. 494, a bill to amend Chapter 10 of the Private Laws of 1923, to correct an error appearing therein in the description of the boundaries of the "Town of Kings Mountain."

Referred to Committee on Counties, Cities and Towns.

H. B. 495, a bill to amend the charter of the city of Henderson, relating to the time of filing of candidates for offices in said city.

Referred to Committee on Counties, Cities and Towns.

H. B. 507, a bill to dissolve the corporate charter of the town of



Rocky Point, Pender County, by repealing Chapter 175 of the Private Laws of 1921.

Referred to Committee on Counties, Cities and Towns.

H. B. 526, a bill to authorize the board of commissioners of Burke County to procure liability insurance for certain automobiles used in official business.

Referred to Committee on Counties, Cities and Towns.

H. B. 530, a bill to provide for the nomination and election of a mayor and commissioners for the town of Windsor.

Referred to Committee on Counties, Cities and Towns.

H. B. 536, a bill to amend Chapter 357 of the Public Laws of 1939 and to repeal Sections 2 and 3 of Chapter 60 of the Public Laws of 1941, relative to the election of a judge and solicitor for the Richmond Special County Court and the jurisdiction of said court.

Referred to Committee on Counties, Cities and Towns.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 229, a bill to require any person authorized by law to perform marriage ceremonies to return the license of marriage to the register of deeds within two days after the celebration of such marriage.

The Committee offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 235, a bill to provide the method of selection of the judge and prosecuting attorney of the general county court of Duplin County and to provide for the appointment of an assistant judge and assistant prosecuting attorney for said court.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 237, a bill to authorize the clerk of the Superior Court of Iredell County to reappoint the commissioners of the Iredell-Rowan Drainage District No. 1, and ratifying actions of said commissioners heretofore appointed.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 242, a bill to amend Chapter 305 of the Public Local Laws of 1935, providing for adjustment of delinquent taxes by making said Chapter applicable to municipalities in Columbus County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 245, a bill to repeal Chapter 327 of the Public Local Laws of 1935, relating to time of sale of land for taxes in Columbus County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 246, a bill to extend the terms of office of the county commissioners, the register of deeds, the recorder and the solicitor of the Iredell County recorder's court to December, 1946, and to provide for four-year terms thereafter.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 247, a bill to change the term of office of the mayor of the city of Statesville from two years to four years.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 376, a bill to extend the term of office of the chairman and members of the board of commissioners of Macon County and to provide for the election and compensation of the members of said board.

Passes its second and third readings and is ordered enrolled.

H. B. 424, a bill to except Rowan County from certain provisions of Section 1681 of the Consolidated Statutes.

Passes its second and third readings and is ordered enrolled.

H. B. 435, a bill to authorize the city of High Point to pay from federal funds now or hereafter in its possession for work done and services performed by certain contractors and others on a hydro-electric project on the Yadkin River in North Carolina, which the city is now liquidating, subject to approval of Public Works Administration of Federal Works Agency of the United States of America.

Passes its second and third readings and is ordered enrolled.

H. B. 470, a bill to amend Chapter 407, Public Laws of 1937, known as "The Motor Vehicle Law of 1937," with reference to electric trolley coaches at Greensboro and vicinity.

Passes its second and third readings and is ordered enrolled.

H. B. 474, a bill to repeal Chapter 103 of the Private Laws of 1935, relating to the incorporation and management of the Walnut Hill Cemetery in Ashe County.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Bailey, the Senate adjourns to meet Monday night at 8 o'clock.

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#### FORTY-FIRST DAY

SENATE CHAMBER,  
Monday, February 22, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. M. O. Sommers, Pastor of the First Presbyterian Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of Saturday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The President extends the courtesies of the floor to former Senator Fred Folger of Surry County.

Upon motion of Senator O'Berry, Miss Elizabeth Banner Hudgins, daughter of Senator Hudgins of Guilford County, is made an honorary page of the Senate.

Upon motion of Senator O'Berry, Miss Ann MacRae Perry, grand-



niece of Mrs. Thomas O'Berry of Goldsboro, N. C., is made an honorary page of the Senate.

Upon motion of Senator Wallace, the courtesies of the floor are extended to Dr. W. I. Farrell, former Representative of Montgomery County.

Upon motion of Senator Bailey, the courtesies of the lobby are extended to Sam M. Robinson of Haywood County.

Upon motion of Senator O'Berry, the courtesies of the lobby are extended to Mrs. T. Palmer Jerman, former National Committee-woman of the State of North Carolina.

The President extends the courtesies of the lobby to Adjutant General J. Van B. Metts.

Upon motion of Senator Johnson of Duplin, the courtesies of the lobby are extended to Chief O. Y. Kirkpatrick of Charlotte, N. C.

The President announces the death of Henry L. Ingram, former Senator and Commander of the American Legion for the State of North Carolina, and appoints as a Committee on behalf of the Senate to attend the funeral services tomorrow: Senators Blythe, Cherry, Chaffin, Horton, Sanders and Farthing.

Upon motion of Senator Barber, H. B. 284, a bill to amend Chapter 225, Public Laws of 1923 entitled "An Act to provide for the supervision and examination of industrial banks by the Corporation Commission," as amended, so as to provide additional powers to those provided in Section 6 of said Act, is taken from the Table and re-referred to Committee on Banks and Currency.

Upon motion of Senator Barber, H. B. 285, a bill to amend Chapter 154, Public Laws of 1937, adding a new paragraph to Section 220 (a) of the Consolidated Statutes regulating the making of loans generally referred to as personal loans, so as to authorize commercial banks to make personal or industrial loans in the same manner as industrial banks, is taken from the Table and re-referred to Committee on Banks and Currency.

#### APPOINTMENT OF COMMITTEE

The President appoints the following Calendar Committee: Senators Carlyle, Chairman; Matheny, Price, Smith, Sanders, Taylor and O'Berry.

#### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. R. 543, a joint resolution memorializing Captain W. Monroe Wicker, killed in action in Northern Africa.

S. B. 30, an act to authorize the conveyance by the State of North Carolina of a lot fifty feet square of the Battlefield near Appomattox Courthouse to the United States of America for addition to the Appomattox Courthouse National Historical Monument.

S. B. 89, an act to amend Chapter 315 of the Public Laws of 1939, so as to provide for the purchase and distribution of the general statutes.

S. B. 91, an act to improve the Appalachian State Teachers College.

S. B. 124, an act to amend Section 1664 of the Consolidated Statutes of 1919, relating to the custody of children in divorce.

H. B. 82, an act to amend Chapter 25 of the Public Laws of 1941, creating a Teachers' and State Employees' Retirement System in North Carolina so as to permit the re-employment of teachers and State employees who have retired on account of age.

H. B. 113, an act to amend Chapter 287 of the Public Laws of 1939, as amended, relating to the elimination of unfit dwellings in cities and towns of more than five thousand population.

H. B. 222, an act to authorize the use of school buses for the transportation of the North Carolina State Guard or the National Guard to and from places of encampment when ordered by the Governor.

H. B. 279, an act to amend Section 1744 of Volume 3 of the Consolidated Statutes of North Carolina, as amended, relative to the sale of contingent remainders, so as to authorize the temporary reinvestment of funds in United States bonds.

H. B. 280, an act to provide a hog cholera prevention program for Currituck County and to permit the sale and use of hog cholera vaccine therefor.

H. B. 286, an act to amend Subsection 1 of Section 4 of Chapter 25 of the Public Laws of 1941, creating the Teachers' and State Employees' Retirement System.

H. B. 297, an act to amend Chapter 196 of the Public Laws of 1941, as to the definition of contract hauler vehicles under the Motor Vehicle Law.

H. B. 298, an act to amend Chapter 407 of the Public Laws of 1937, so as to exclude from the definition of for-hire passenger vehicles, vehicles operated on a "share-the-expense" plan.

H. B. 307, an act to amend Chapter 114, Public Laws of 1941, the North Carolina Seed Law, to include hybrid corn seed.

H. B. 310, an act to amend Section 7, Chapter 47, Public Laws of 1927, entitled "An Act to amend certain Sections in the present Banking Laws, being Chapter 4, Public Laws of 1921 and amendments thereto," as amended, so as to strike out the Section enacted by said Section 7 and by substituting a new Section for the Section stricken out.

H. B. 314, an act to authorize the participation by the North Carolina School for the Deaf at Morganton in the free distribution of textbooks and the State Textbook Rental System operated by the State of North Carolina.

H. B. 338, an act to amend Chapter 385 of the Public Local Laws of 1921, relating to pensions for school teachers in New Hanover County, to provide that any payment from the State Retirement System fund be deducted from the pension allowed by the county, and to change the date of payments.

H. B. 351, an act to amend Section 8 of Chapter 25 of the Public Laws of 1941, creating the Teachers' and State Employees' Retirement System.

H. B. 365, an act to authorize the employment of a county superintendent of schools in Tyrrell County during the present emergency.

H. B. 376, an act to extend the term of office of the chairman and



members of the board of commissioners of Macon County and to provide for the election and compensation of the members of said board.

H. B. 413, an act to tax and regulate professional bondsmen in Wayne County.

H. B. 424, an act to except Rowan County from certain provisions of Section 1681 of the Consolidated Statutes.

H. B. 435, an act to authorize the city of High Point to pay from Federal funds now or hereafter in its possession for work done and services performed by certain contractors and others on a hydro-electric project on the Yadkin River in North Carolina, which the city is now liquidating, subject to approval of Public Works Administration of Federal Works Agency of the United States of America.

H. B. 470, an act to amend Chapter 407, Public Laws of 1937, known as "The Motor Vehicle Law of 1937," with reference to electric trolley coaches at Greensboro and vicinity.

H. B. 474, an act to repeal Chapter 103 of the Private Laws of 1935, relating to the incorporation and management of the Walnut Hill Cemetery in Ashe County.

#### ENGROSSED BILLS

Senator Poindexter, for the Committee on Engrossed Bills, reports the following bill as properly engrossed, and the same is ordered sent to the House of Representatives:

S. B. 229, a bill to require any person authorized by law to perform marriage ceremonies to return the license of marriage to the register of deeds within two days after the celebration of such marriage.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Larkins, for the Committee on Unemployment Compensation:

H. R. 333, a joint resolution of the General Assembly of North Carolina concerning employer's experience rating system of the Unemployment Compensation Law, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Brown: S. B. 264, a bill to afford relief to Vernie Towe, widow, and Vaughtie Lucille Towe, minor child, of Deputy Sheriff William E. Towe, deceased, late of Yancey County, North Carolina.

Referred to Committee on Counties, Cities and Towns.

By Senator Wilson: S. B. 265, a bill to fix the salaries of the judge and the prosecuting attorney of the recorder's court of Caldwell County.

Referred to Committee on Salaries and Fees.

By Senator Wilson: S. B. 266, a bill to amend Chapter 409 of the Public Laws of 1937, as amended, relating to the establishment of

maximum working hours so as to provide relief for persons, firms, or corporations engaged in the processing of dairy products in Caldwell County.

Referred to Committee on Agriculture.

By Senator Benton: S. B. 267, a bill to authorize the board of county commissioners of Johnston County and the governing bodies of all municipalities therein to refuse to issue wine or beer licenses.

Referred to Committee on Counties, Cities and Towns.

By Senator Benton: S. B. 268, a bill fixing and defining the term of the agricultural tenancy year in Johnston County.

Referred to Committee on Counties, Cities and Towns.

By Senator Pittman: S. B. 269, a bill to clarify S. B. 14, the same being the General Statutes of North Carolina.

Referred to Committee on Recodification.

By Senator Pittman: S. R. 270, a joint resolution to provide for a Commission on Statutory Revision.

Referred to Committee on Recodification.

By Senator Wade: S. B. 271, a bill to authorize the board of commissioners to extend the corporate limits of the city of Wilmington upon petition of a majority of the qualified voters in certain territory adjacent to the city.

Referred to Committee on Finance.

By Senator Wade: S. B. 272, a bill to establish for the county of New Hanover and the city of Wilmington a special committee on post-war planning for economic stability.

Referred to Committee on Counties, Cities and Towns.

By Senator Taylor: S. B. 273, a bill to amend Section 5875 of the Consolidated Statutes, relating to the compensation of the members of the board of directors of the State School for the Blind and Deaf at Raleigh.

Referred to Committee on Appropriations.

By Senator Taylor, by request: S. B. 274, a bill to regulate the charges of agents and representatives collecting escheat claims from the University of North Carolina.

Referred to Committee on Judiciary No. 1.

By Senator Taylor: S. B. 275, a bill to authorize the State Treasurer, with the approval of the Governor and Council of State, to reasonably compensate banks paying North Carolina bonds and coupons.

Referred to Committee on Finance.

By Senators Brooks and Sanders: S. B. 276, a bill providing for the regulation of aeronautics within this State: creating a State Aeronautics Commission: providing the powers and duties of such Commission; to provide funds for its administration, the maintaining of existing airports and selection of future sites for additional airports; providing for the promulgation and issuance of rules and regulations by such Commission.

Referred to Committee on Finance.

By Senator Barker: S. B. 277, a bill to fix the jury fees for all the recorder's courts of Robeson County.

Referred to Committee on Salaries and Fees.



By Senator Barker: S. B. 278, a bill to provide for a county attorney on a salary basis for the county of Robeson.

Referred to Committee on Salaries and Fees.

By Senator Cherry: S. B. 279, a bill to authorize the refunding of deferred payments for license tags made by certain property hauling motor vehicle carriers affected by war conditions.

Upon motion of Senator Cherry, the bill is placed upon the Calendar.

By Senator Daniel: S. B. 280, a bill to repeal the special election of the Washington School Administrative Unit providing for a nine-months school term.

Upon motion of Senator Daniel, the rules are suspended and the bill is taken up for immediate consideration.

Passes its second and third readings and is ordered sent to the House of Representatives.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 612, a bill to authorize and empower the board of county commissioners of Guilford County to offer rewards for fugitives from justice.

Upon motion of Senator Carlyle, the rules are suspended and the bill is taken up for immediate consideration.

Passes its second and third readings and is ordered enrolled.

H. B. 305, a bill relating to the listing, selling and foreclosure of unlisted taxes, payment of paving assessments and taxes, tax sales and tax foreclosures for the town of Aulander, Bertie County, North Carolina.

Referred to Committee on Judiciary No. 2.

H. B. 467, a bill to amend Chapter 541 of the Public Local Laws of 1933, relating to the deputy sheriffs of Washington County.

Referred to Committee on Counties, Cities and Towns.

H. B. 519, a bill to amend Chapter 609 of the Public Local Laws of 1939, relating to the civil service commission for the police department of the city of Fayetteville.

Referred to Committee on Counties, Cities and Towns.

H. B. 571, a bill to prohibit the operation of music vending machines in public places and public dance halls in Caldwell County during certain hours.

Referred to Committee on Propositions and Grievances.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 251, a bill to repeal Chapter 95 of the Public Local Laws of 1919 relative to the compensation of the cotton weigher of Cabarrus County and to amend Chapter 238 of the Public Laws of 1895 so as to fix the compensation of said cotton weigher, upon third reading.

The bill passes its third reading by roll call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Hodges, Horton, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—41.

The bill is ordered sent to the House of Representatives.

S. B. 233, a bill to incorporate the town of Benson; define its corporate limits and to provide for its government; to repeal the charter of the present town of Benson and Acts amendatory thereto, except as provided herein, upon second reading.

The bill passes its second reading by roll call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Hodges, Horton, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—41.

H. B. 183, a bill to incorporate the town of Aquadale in Stanly County, upon second reading.

The bill passes its second reading by roll call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Hodges, Horton, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—41.

H. B. 301, a bill to authorize the county commissioners of Davidson County to direct the board of elections to call an election for the purpose of submitting to the voters of said county the question of whether a tax shall be levied to support the free public library, upon second reading.

The bill passes its second reading by roll call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Hodges, Horton, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—41.

S. B. 29, a bill to amend the Constitution providing for the organization of the State Board of Education, upon second reading.



The amendment offered by Senator Brooks is adopted, constituting the first reading of the bill, and the bill is placed on its second reading roll call.

The bill, as amended, passes its second reading by roll call vote, ayes 40, noes 2, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brock, Brooks, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Hodges, Horton, Johnson of Duplin, Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—40.

Those voting in the negative are: Senators Benton, Johnson of Halifax—2.

The bill passes its third reading by roll call vote, ayes 42, noes 1, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Hodges, Horton, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—42.

Those voting in the negative are: Senator Benton—1.

The bill is ordered engrossed.

S. B. 54, a bill to amend the School Machinery Act of 1939, to provide for a nine-months school term, upon third reading.

Senator Weathers offers an amendment which fails of adoption.

Senator Weathers offers a second amendment which fails of adoption.

The bill passes its third reading by roll call vote, ayes 40, noes 2, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Hodges, Horton, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, McKee, Pittman, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—40.

Those voting in the negative are: Senators Palmer, Weathers—2.

The following pair is announced: Senator Hudgins, "aye," Senator O'Berry, "no."

The bill is ordered engrossed.

H. B. 107, a bill to amend Article 5 of Chapter 84 of Volume 2 of the Consolidated Statutes of 1919, as amended, relating to commercial feeding stuffs, upon third reading.

The bill, as amended, passes its third reading by roll call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Hodges, Horton, Johnson of Duplin, Johnson of Halifax,

Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Price, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—42.

The bill is ordered returned to the House of Representatives, for concurrence in the Senate amendments.

H. B. 108, a bill to amend Article 6 of Chapter 84 of Volume 2 of the Consolidated Statutes of 1919, as amended, relating to stock and poultry tonics, upon third reading.

The bill, as amended, passes its third reading by roll call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Hodges, Horton, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Price, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—42.

The bill is ordered returned to the House of Representatives, for concurrence in the Senate amendments.

S. B. 157, a bill to create an additional commissioner's district for the county of Robeson to be known as district No. 6, for concurrence in the House amendment.

Upon motion of Senator Barker, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 84, a bill to amend Chapter 25 of the Public Laws of 1941 creating a Teachers and State Employees Retirement System in North Carolina, to permit the board of trustees to make regulations preventing injustices and inequalities not otherwise covered by the Act and to permit the re-employment of teachers and State employees who have been retired on account of age when needed during any emergency.

The amendment offered by the Committee is adopted.

Upon motion of Senator Wade, action on the bill is deferred until tomorrow.

S. B. 217, a bill to amend Chapter 288, Public Laws of 1937, as amended, and to repeal Chapter 120 and Section 5, Chapter 226, Public Laws of 1931, to provide uniform residence requirements for applicants for assistance.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 225, a bill to amend Article XIII of Chapter 96 and Chapter 121 of the Consolidated Statutes, as amended, and Chapter 219 of the Public Laws of 1927, as amended, relating to the management of the Stonewall Jackson Manual Training School, the Eastern Carolina Industrial School for Boys, the Industrial Farm Colony for Women, the State Home and Industrial School for Girls and the Morrison Training School, so as to provide for the appointment of a unified board of directors for such institutions and to provide for the appointment of a general superintendent and a general business manager thereof.



Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 231, a bill for the relief of Bradley Transit Company by refunding deferred payment made for certain motor vehicle tags.

Upon motion of Senator Cherry, action on the bill is postponed indefinitely.

S. B. 232, a bill to amend Section 101 of Volume 1 of the Consolidated Statutes of North Carolina, which discharges representatives of a decedent from liability for assets paid on claims not presented within twelve months from the date of the first publication of general notice to creditors.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 240, a bill to require each State Agency of the State of North Carolina which has been created by statute and exercises regulatory, administrative or semi-judicial functions, to file with the Secretary of State copies of administrative rules and regulations or rules of practice and procedure and amendments thereto.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 39, a bill to amend Section 4458 of the Consolidated Statutes, so as to regulate the punishment for public drunkenness in Mecklenburg County.

The amendment offered by the Committee is adopted.

The bill, as amended, fails to pass its second reading.

H. B. 144, a bill to control the production, importation, exportation, transportation and sale of wine, and to amend and repeal existing laws in conflict with this Act.

The several amendments offered by the Committee are adopted.

Senator Cherry offers an amendment which is adopted.

Senator Cherry offers a second amendment which is adopted.

Senator Carlyle offers an amendment which is adopted.

Senator Brooks offers an amendment which fails of adoption.

All amendments heretofore adopted are held to be material and constitute the first reading of the bill, and the bill takes its place upon the second reading roll call Calendar.

H. B. 162, a bill to provide for the probate of wills of members of the armed forces of the United States.

Passes its second and third readings and is ordered enrolled.

H. B. 200, a bill to amend Section 492 of the Consolidated Statutes, relating to the defense of actions after judgment on substituted service by exempting actions for the foreclosure of county and municipal taxes from the operation of said Section.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives, for concurrence in the Senate amendment.

H. B. 318, a bill to authorize the attestation of deeds of banks by the secretary or an assistant secretary or by the cashier or an assistant cashier.

Passes its second and third readings and is ordered enrolled.

H. B. 405, a bill to make retroactive the provisions of a regulation of the North Carolina Department of Revenue, Sales and Use Tax Division, in regard to application of sales and use taxes to oculists, optometrists and opticians, in order to remedy inequalities in taxation.

Passes its second and third readings and is ordered enrolled.

H. B. 247, a bill to improve the Appalachian State Teachers College.

Upon motion of Senator Farthing, action on the bill is postponed indefinitely.

H. B. 418, a bill to amend Section 579 of the Consolidated Statutes of North Carolina, so as to permit either party to file exceptions to the report of a referee within thirty days from the filing thereof.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Price, the Senate adjourns in honor of the memory of the 211th birthday of George Washington to meet tomorrow at 12 o'clock M.

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#### FORTY-SECOND DAY

SENATE CHAMBER,

Tuesday, February 23, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Poindexter, the courtesies of the floor are extended to former Senator Frank Gibbs of Warren County.

Upon motion of Senator Eagles, the courtesies of the galleries are extended to the Seventh Grade of Simms School in Wilson County, and Mrs. J. D. Boyette and Mrs. Glover, accompanying the students.

Upon motion of Senator Cole, the courtesies of the floor are extended to former Senator Edwin Pate of Scotland County.

Upon motion of Senator Pittman, the courtesies of the floor are extended to former Senator Robert McIntyre of Robeson County.

Upon motion of Senator Mitchell, the courtesies of the lobby are extended to Stacy Weaver, Wade Hendrix and Neely Kincaid of Iredell County.

Upon motion of Senator Evans, the courtesies of the floor are extended to former Representative Harry Underwood of Hertford County.

Senator Lanier moves that the vote by which H. B. 39, a bill to amend Section 4458 of the Consolidated Statutes so as to regulate the punishment for public drunkenness in Mecklenburg County, fails to pass its second reading be reconsidered.

The motion prevails and the bill is placed upon the Calendar.



## ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 99, an act to amend Chapter 64 of the Public Laws of 1935, relating to ordinances for the public health of the State, to bring the city of Reidsville within the provisions of this Act.

S. B. 135, an act to fix the term of office of the board of county commissioners of Graham County.

S. B. 157, an act to create an additional commissioner's district for the county of Robeson to be known as District No. 6.

H. B. 162, an act to provide for the probate of wills of members of the armed forces of the United States.

H. B. 318, an act to authorize the attestation of deeds of banks by the secretary or an assistant secretary or by the cashier or an assistant cashier.

H. B. 345, an act to amend Chapter 139 of the Public Local Laws of 1935 and Chapter 261 of the Public Local Laws of 1937, relating to the salary of the register of deeds and deputy register of deeds of Franklin County.

H. B. 405, an act to make retroactive the provisions of a regulation of North Carolina Department of Revenue, Sales and Use Tax Division, in regard to application of sales and use taxes to oculists, optometrists and opticians, in order to remedy inequalities in taxation.

H. B. 418, an act to amend Section 579 of the Consolidated Statutes of North Carolina, so as to permit either party to file exceptions to the report of a referee within thirty days from the filing thereof.

H. B. 612, an act to authorize and empower the board of county commissioners of Guilford County to offer rewards for fugitives from justice.

## ENGROSSED BILLS

Senator Poindexter, for the Committee on Engrossed Bills, reports the following bills as properly engrossed, and the same are ordered sent to the House of Representatives:

S. B. 29, a bill to amend the Constitution providing for the organization of the State Board of Education.

S. B. 54, a bill to amend the School Machinery Act of 1939, to provide for a nine-months school term.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Watkins, for the Committee on Counties, Cities and Towns:

S. B. 255, a bill to amend Chapter 98 of the Public Local Laws of 1941, relating to establishment of an airport authority for the maintenance of airport facilities in the county of Guilford, for the citizens of

Greensboro, High Point, Guilford County and vicinity, with a favorable report.

S. B. 263, a bill for the relief of W. A. Hall, former sheriff and tax collector of Yancey County, with a favorable report.

S. B. 264, a bill to afford relief to Vernie Towe, widow, and Vaughtie Lucille Towe, minor child, of Deputy Sheriff William E. Towe, deceased, late of Yancey County, North Carolina, with a favorable report.

S. B. 267, a bill to authorize the board of county commissioners of Johnston County and the governing bodies of all municipalities therein to refuse to issue wine or beer licenses, with a favorable report.

S. B. 268, a bill fixing and defining the term of the agricultural tenancy year in Johnston County, with a favorable report.

S. B. 272, a bill to establish for the county of New Hanover and the city of Wilmington a special committee on post-war planning for economic stability, with a favorable report.

H. B. 46, a bill to provide that all county officers of Currituck County shall furnish at their own expense all bonds required of them by statute, with a favorable report, as amended.

H. B. 192, a bill to repeal Chapter 95 of the Private Laws of 1935 and to provide for the election of a mayor and board of commissioners for the town of Rutherfordton, with a favorable report.

H. B. 309, a bill to require the board of county commissioners and the board of education of Currituck County to insure county and school property, with a favorable report.

H. B. 358, a bill to amend Chapter 280 of the Private Laws of 1891, the same being the charter of the town of Jacksonville, to allow commissioners of said town to levy a tax for the operation and maintenance of a cemetery, with a favorable report.

H. B. 381, a bill authorizing the county commissioners and treasurer of Bertie County to reimburse the sheriff and jailer of Bertie County for settlement of \$1000 and costs of \$189.65 paid to Elma Lloyd Parrish, with a favorable report.

H. B. 382, a bill to validate tax levies and tax sales of Bertie County, with a favorable report.

H. B. 408, a bill to authorize McDowell County to establish and maintain a county law library, with a favorable report.

H. B. 409, a bill to amend Chapter 860 of the Public Laws of 1907, as amended, relating to the recorder's court of the city of Monroe and Union County, with a favorable report.

H. B. 415, a bill to relieve J. W. Cooper, former sheriff of Bertie County, and the estate of A. O. Askew, former deputy sheriff of Bertie County from further liability for funds lost in defunct Citizens Bank of Windsor, with a favorable report.

H. B. 449, a bill providing for an extension of the corporate limits of the city of Goldsboro, with a favorable report.

H. B. 451, a bill to amend Chapter 125 of the Private Laws of 1901 incorporating the town of Raeford, to provide for vacancy in office of mayor, to change date of election, and to increase tax rate, with a favorable report.



H. B. 462, a bill to repeal Chapter 62 of the Public Local Laws of 1929 and to amend Chapter 383 of the Public Local Laws of 1925 fixing the salary of the sheriff of Currituck County, with a favorable report.

H. B. 463, a bill to provide for a survey of certain property and State waters in Currituck County, with an unfavorable report.

H. B. 464, a bill to amend Chapter 389 of the Public Laws of 1937, as amended by Chapter 96 of the Public Laws of 1939, applicable to Currituck County, with an unfavorable report.

H. B. 465, a bill to require the sureties of official bonds in Currituck County to be surety, indemnity or guaranty companies authorized to do business in North Carolina, with a favorable report.

H. B. 473, a bill to appoint a county accountant for Yancey County, and to fix his salary and term of office, with a favorable report.

H. B. 477, a bill relative to the compensation of the sheriff of Macon County for his duties as tax collector, with a favorable report.

H. B. 482, a bill to incorporate the Richmond County Airport Commission, with a favorable report.

H. B. 493, a bill to amend Chapter 360 of the Private Laws of 1909, as amended, relating to the charter of the town of Kings Mountain, with a favorable report.

H. B. 494, a bill to amend Chapter 10 of the Private Laws of 1923, to correct an error appearing therein in the description of the boundaries of the town of Kings Mountain, with a favorable report.

H. B. 495, a bill to amend the charter of the city of Henderson, relating to the time of filing of candidates for offices in said city, with a favorable report.

H. B. 519, a bill to amend Chapter 609 of the Public Local Laws of 1939, relating to the civil service commission for the police department of the city of Fayetteville, with a favorable report, as amended.

H. B. 526, a bill to authorize the board of commissioners of Burke County to procure liability insurance for certain automobiles used in official business, with a favorable report.

H. B. 530, a bill to provide for the nomination and election of a mayor and commissioners for the town of Windsor, with a favorable report.

H. B. 536, a bill to amend Chapter 357 of the Public Laws of 1939 and to repeal Sections 2 and 3 of Chapter 60 of the Public Laws of 1941, relative to the election of a judge and solicitor for the Richmond special county court and the jurisdiction of said court, with a favorable report.

By Senator Graham, for the Committee on Banks and Currency:

H. B. 284, a bill to amend Chapter 225, Public Laws of 1923 entitled "An Act to provide for the supervision and examination of industrial banks by the corporation commission," as amended, so as to provide additional powers to those provided in Section 6 of said Act, with a favorable report.

H. B. 285, a bill to amend Chapter 154, Public Laws of 1937, adding a new paragraph to Section 220 (a) of the Consolidated Statutes regulating the making of loans generally referred to as personal loans, so

as to authorize commercial banks to make personal or industrial loans in the same manner as industrial banks, with a favorable report.

By Senator Johnson of Duplin, for the Committee on Judiciary No. 1:

H. B. 369, a bill to amend Section 6141 of the Consolidated Statutes, as amended, to change the title of the Historical Commission to State Department of Archives and History, with a favorable report.

H. B. 497, a bill to tax and regulate professional bondsmen in Cumberland County, with a favorable report.

By Senator Sanders, for the Committee on Judiciary No. 2:

H. B. 305, a bill relating to the listing, selling and foreclosure of unlisted taxes, payment of paving assessments and taxes, tax sales and tax foreclosures for the town of Aulander, Bertie County, North Carolina, with a favorable report.

H. B. 336, a bill to amend Chapter 130 of the Public Laws of 1941 relative to the organization and management of Mutual Burial Associations and to provide for supervision thereof, with a favorable report.

H. B. 373, a bill to amend Sections 2439 and 2430 of the Consolidated Statutes of North Carolina, relating to libel and slander by radio or television stations, with a favorable report.

H. B. 433, a bill to bar the collection of taxes for 1931 and all prior years in Caldwell County, with a favorable report.

H. B. 484, a bill to authorize the town of Louisburg to convey certain property in the town of Louisburg, with a favorable report.

H. B. 100, a bill to amend Section 593 and Section 597 (b), of Volume 3 of the Consolidated Statutes of North Carolina, and to repeal Section 597 (c), of Volume 3 of the Consolidated Statutes of North Carolina, so as to permit the clerk of the Superior Court to enter judgments on any day in the week except Sunday, with a favorable report, as amended.

H. B. 226, a bill to amend Section 2591 of the Consolidated Statutes of North Carolina, which regulates the reopening of sales of real estate upon an advanced bid, so as to limit the deposit on an increased bid to a minimum of \$20.00 and to increase the amount required on bids in excess of \$500.00, with an unfavorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Horton: S. B. 281, a bill to abolish the State School Commission, the State Textbook Commission, the Board for Vocational Education, and the State Board of Commercial Education and to transfer their powers, functions and duties to the State Board of Education, created by the Constitutional amendments adopted in 1942 and to provide for the powers, functions and duties of said newly created State Board of Education in keeping with the provisions of the Constitutional amendments.

Referred to Committee on Calendar.

By Senator Bailey: S. B. 282, a bill nullifying the collection of taxes



levied for the years 1927 to 1936, inclusive, by the town of Canton, except where suit has been instituted thereon.

Referred to Committee on Calendar.

By Senator Wilson: S. B. 283, a bill to provide recommendations as to indemnity to persons erroneously convicted of felonies in the State of North Carolina.

Referred to Committee on Calendar.

By Senator Mitchell: S. B. 284, a bill providing that upon the extension of the corporate limits of any municipality, coterminous boundaries of city administrative units shall be likewise extended.

Referred to Committee on Calendar.

By Senator Mitchell: S. B. 285, a bill to authorize Iredell County to establish and maintain a county law library.

Referred to Committee on Calendar.

By Senator Wade: S. B. 286, a bill authorizing the city of Wilmington, North Carolina, to acquire the utility properties of the Tide Water Power Company in the Southeastern portion of the State, and to improve, extend, enlarge, reconstruct, maintain, repair, and operate such properties; providing for the creation of the Wilmington Utilities Commission and fixing the powers and duties of such commission; providing for the issuance of revenue bonds of the city, payable solely from earnings, to pay the cost of such acquisition and of such improvements; providing that no debt of the city shall be incurred in the exercise of any of the powers granted by this Act; providing for the imposition and collection of fees, rates and charges for the services and facilities rendered by such utilities, and for the application of such revenues; authorizing the issuance of revenue refunding bonds; providing for the execution of trust agreements to secure the payment of such revenue bonds without mortgaging or encumbering such properties; making such bonds exempt from taxation; and providing for payments to counties, cities and towns in lieu of taxes.

Referred to Committee on Finance.

By Senator Poindexter: S. B. 287, a bill to fix the salaries of certain officials of Warren County, and to confer upon the board of commissioners of Warren County discretionary powers with respect to salaries.

Referred to Committee on Calendar.

By Senator Poindexter: S. B. 288, a bill to repeal Chapter 75 of the Public Laws of 1937 exempting Warren County from that part of Section 1681 of the Consolidated Statutes which requires payment for damages done by dogs, and to make provisions for payment of such damages in Warren County.

Referred to Committee on Calendar.

By Senator Matheny: S. B. 289, a bill to amend Chapter 357 of the Public Laws of 1941 to exempt the city of Forest City in Rutherford County from Section 9A thereof.

Referred to Committee on Calendar.

By Senator Matheny: S. B. 290, a bill relating to unclaimed fees of jurors and witnesses in Rutherford County.

Referred to Committee on Calendar.

By Senator Matheny: S. B. 291, a bill to provide for the extension, maintenance and support of Rutherford County Bar Library by amending Section 4 of Chapter 86 of the Public Local Laws of 1939.

Referred to Committee on Calendar.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 19, a bill to amend and supplement the Revenue Act of 1939, Chapter 158 of 1939.

Upon motion of Senator O'Berry, the bill is placed upon the Calendar.

H. B. 377, a bill to repeal Chapter 190 of the Public Laws of 1931 and exempting Macon County from the State-wide primary law.

Referred to Committee on Calendar.

H. B. 441, a bill to amend Chapter 218, Public Local Laws of 1941, relating to special tax levy of Sampson County for repairs to jail and other county buildings.

Referred to Committee on Calendar.

H. B. 531, a bill to provide for a maximum tax rate of 60 cents on the \$100 in the town of Kelford and to validate tax rates heretofore levied.

Referred to Committee on Calendar.

S. B. 143, a bill to fix salaries for public officials and employees in Durham County, for concurrence in the House amendment.

The bill is placed upon the Calendar for concurrence in the House amendment.

H. R. 620, a joint resolution expressing appreciation to Captain James P. Graff and Honorable John W. Umstead, Jr., for arranging the visit of the General Assembly to the Naval Pre-Flight School in Chapel Hill.

Upon motion of Senator Hodges, the rules are suspended and the resolution is taken up for immediate consideration.

The resolution passes its second and third readings and is ordered enrolled.

HOUSE OF REPRESENTATIVES,  
Tuesday, February 23, 1943.

*Mr. President:*

It is ordered that a message be sent to your Honorable Body requesting the return for further consideration by the House of Representatives of H. B. 214 entitled "A bill to be entitled an act to amend Subsection 2 of Section 5, Chapter 25 of the Public Laws of 1941, creating the Teachers' and State Employees' Retirement System."

Respectfully,

SHEARON HARRIS, *Principal Clerk.*

Upon motion of Senator Hodges, the bill is ordered returned to the House of Representatives.



## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 233, a bill to incorporate the town of Benson, define its corporate limits and to provide for its government; to repeal the charter of the present town of Benson and acts amendatory thereto, except as provided herein, upon third reading.

The bill passes its third reading by roll call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Benton, Brock, Brown, Carlyle, Clark, Cole, Currie, Daniel, Eagles, Evans, Graham, Gregory, Harrelson, Hodges, Horton, Johnson of Duplin, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, O'Berry, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—39.

The bill is ordered sent to the House of Representatives.

H. B. 183, a bill to incorporate the town of Aquadale in Stanly County, upon third reading.

The bill passes its third reading by roll call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Benton, Brock, Brown, Carlyle, Clark, Cole, Currie, Daniel, Eagles, Evans, Graham, Gregory, Harrelson, Hodges, Horton, Johnson of Duplin, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, O'Berry, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—39.

The bill is ordered enrolled.

H. B. 301, a bill to authorize the county commissioners of Davidson County to direct the board of elections to call an election for the purpose of submitting to the voters of said county the question of whether a tax shall be levied to support the free public library, upon third reading.

The bill passes its third reading by roll call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Benton, Brock, Brown, Carlyle, Clark, Cole, Currie, Daniel, Eagles, Evans, Graham, Gregory, Harrelson, Hodges, Horton, Johnson of Duplin, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, O'Berry, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—39.

The bill is ordered enrolled.

H. B. 144, a bill to control the production, importation, exportation, transportation and sale of wine, and to amend and repeal existing laws in conflict with this act.

Upon motion of Senator Benton, the bill and all amendments are laid upon the Table.

S. B. 84, a bill to amend Chapter 25 of the Public Laws of 1941, creating a Teachers and State Employees Retirement System in North Carolina, to permit the board of trustees to make regulations preventing injustices and inequalities not otherwise covered by the Act and to

permit the re-employment of teachers and State employees who have retired on account of age when needed during any emergency.

Passes its second and third readings and is ordered engrossed.

S. R. 200, a joint resolution authorizing an investigation of feeble-minded negroes in the Goldsboro State Hospital and other places, and providing for a report and making of recommendations with respect thereto.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. R. 223, a joint resolution creating a Zebulon Baird Vance Memorial Commission and defining the duties thereof.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 63, a bill to authorize county commissioners to provide compensation for members of rationing boards while in the actual performance of their duties.

Upon motion of Senator Horton, action on the bill is deferred until Thursday, February 25, 1943.

H. R. 333, a joint resolution of the General Assembly of North Carolina concerning employer's experience rating system of the Unemployment Compensation Law.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Currie, the Senate adjourns in honor of the memory of Honorable Henry L. Ingram, a former member of this body, to meet tomorrow morning at 11 o'clock.

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### FORTY-THIRD DAY

SENATE CHAMBER,  
Wednesday, February 24, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. Charles Henry Durham, Supply Pastor, First Baptist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Price, the courtesies of the lobby are extended to Messrs. B. C. Trotter, H. E. Latham and Dick Tuttle, all of Spray, N. C., T. A. Burton of Madison, N. C., and Stewart Powell of Reidsville, N. C.

Upon motion of Senator Price, Miss Joan Benton, daughter of Senator Benton of Johnston County, is made an honorary page of the Senate.

Upon motion of Senator Farthing, the courtesies of the floor are extended to former Senator P. T. McNeill of Ashe County.

Upon motion of Senator Mitchell, the courtesies of the galleries are extended to Mrs. Annie Laurie McDonald of Catawba County, Miss



Ethel Perkins of Davidson County and Mrs. Julia Robbins of Mecklenburg County.

Upon motion of Senator Ballentine, the courtesies of the galleries are extended to the students of the Eighth Grade of Hugh Morson High School, Raleigh, N. C., and their teacher, Mrs. J. L. Marcom.

Upon motion of Senator Blythe, Ray Galloway, a former page, is made an honorary page of the Senate.

Upon motion of Senator Matheny, the courtesies of the floor are extended to former Senator Stover P. Dunnagan of Rutherford County.

Upon motion of Senator Johnson of Halifax, the courtesies of the galleries are extended to Mr. and Mrs. M. P. Crawley of Halifax County.

Upon motion of Senator Evans, the courtesies of the lobby are extended to W. L. Hopkins of Hertford County.

Upon motion of Senator Taylor, the courtesies of the lobby are extended to Mrs. T. L. Caudle, mother of the United States District Attorney for the Western District.

Upon motion of Senator Hudgins, the courtesies of the lobby are extended to D. Newton Farnell, Jr., of Greensboro, N. C., President of the North Carolina Railroad Company, and Miss Gloria Farnell, young daughter of Mr. Farnell.

Upon motion of Senator Wilson, the courtesies of the floor are extended to former Representative Dover Fouts of Yancey County.

Upon motion of Senator Lanier, H. B. 145, a bill to amend Section 7982 of Volume 2 of the Consolidated Statutes of North Carolina of 1919, relating to forfeiture of life estate in real estate for failure to pay taxes, is taken from the unfavorable Calendar and re-referred to the Committee on Judiciary No. 1.

#### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. R. 333, a joint resolution of the General Assembly of North Carolina concerning employer's experience rating system of the Unemployment Compensation Law.

H. R. 620, a joint resolution expressing appreciation to Captain James P. Graff and Honorable John W. Umstead, Jr., for arranging the visit of the General Assembly to the Naval Pre-Flight School in Chapel Hill.

S. B. 173, an act authorizing the county of Alamance to issue hospital bonds under the provisions of the County Finance Act, as amended.

H. B. 107, an act to amend Article 5 of Chapter 84 of Volume 2 of the Consolidated Statutes of 1919, as amended, relating to commercial feeding stuffs.

H. B. 108, an act to amend Article 6 of Chapter 84 of Volume 2 of the Consolidated Statutes of 1919, as amended, relating to stock and poultry tonics.

H. B. 183, an act to incorporate the town of Aquadale in Stanly County.

H. B. 200, an act to amend Section 492 of the Consolidated Statutes, relating to the defense of action after judgment on substituted service by exempting actions for the foreclosure of county and municipal taxes from the operation of said Section.

H. B. 301, an act to authorize the county commissioners of Davidson County to direct the board of elections to call an election for the purpose of submitting to the voters of said county the question of whether a tax shall be levied to support the free public library.

#### ENGROSSED BILLS

Senator Poindexter, for the Committee on Engrossed Bills, reports the following bills as properly engrossed, and the same are ordered sent to the House of Representatives:

S. B. 84, a bill to amend Chapter 25 of the Public Laws of 1941, creating a Teachers and State Employees Retirement System in North Carolina, to permit the board of trustees to make regulations preventing injustices and inequalities not otherwise covered by the Act and to permit the re-employment of teachers and State employees who have been retired on account of age when needed during any emergency.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Palmer, for the Committee on Salaries and Fees:

S. B. 234, a bill to fix the compensation of the county commissioners and members of the board of education of Alexander County, with a favorable report.

S. B. 236, a bill to fix the salaries of certain deputy sheriffs of Duplin County, with a favorable report, as amended.

S. B. 243, a bill to regulate the salaries of officials and employees of Columbus County, with a favorable report.

S. B. 265, a bill to fix the salaries of the judge and the prosecuting attorney of the recorder's court of Caldwell County, with a favorable report.

S. B. 277, a bill to fix the jury fees for all the recorder's courts of Robeson County, with a favorable report.

S. B. 278, a bill to provide for a county attorney on a salary basis for the county of Robeson, with a favorable report, as amended.

H. B. 302, a bill to fix the salaries for the deputy sheriffs of Davidson County, with a favorable report.

H. B. 383, a bill to fix the salaries of the board of county commissioners of Bertie County, with a favorable report.

H. B. 400, a bill to provide for the compensation of the members of the board of county commissioners of Rutherford County, with a favorable report.

H. B. 404, a bill to amend Chapter 65 of the Private Laws of 1925, relating to the officers of the town of Fairmont, so as to provide salaries for the mayor and town commissioners, with a favorable report.



H. B. 419, a bill relating to the fixing of fees of the sheriff, constables and justices of the peace of Jones County, with a favorable report.

H. B. 420, a bill to amend Chapter 302 of the Public Local Laws of 1941, relating to the fees to be collected by the clerk of the Superior Court of Guilford County, with a favorable report.

H. B. 430, a bill to amend Section 3907 of the Consolidated Statutes to provide fees for the register of deeds of Carteret County in certain cases, with a favorable report.

H. B. 437, a bill to fix the salary of clerk of the Superior Court of Pasquotank County, with a favorable report.

H. B. 450, a bill to provide compensation for the clerk of the Superior Court of Washington County for his services as judge of juvenile court, with a favorable report.

H. B. 455, a bill to amend Chapter 441 of the Public Local Laws of 1937, relating to the salary of the deputy register of deeds of Union County, with a favorable report.

H. B. 456, a bill to fix the compensation for several cotton weighers in Union County, with a favorable report.

H. B. 459, a bill relating to the salary of the members of the board of county commissioners of Lenoir County, with a favorable report.

H. B. 460, a bill to amend the charter of the city of Kinston, relating to the compensation of the mayor and members of the board of aldermen of said city, with a favorable report.

H. B. 496, a bill to fix the compensation of the county surveyor of Surry County, with a favorable report.

By Senator Larkins, for the Committee on Unemployment Compensation:

S. B. 38, a bill to amend Chapter 1 of the Public Laws of the Extra Session of 1936, known as the Unemployment Compensation Law, and all amendments and additions thereto, with a favorable report, as amended.

By Senator Watkins, for the Committee on Counties, Cities and Towns:

H. B. 287, a bill to authorize the town of Bessemer City in Gaston County to sell at private sale property purchased by it at a tax foreclosure sale, with a favorable report.

H. B. 319, a bill to extend the jurisdiction of police officers of the town of Huntersville, in Mecklenburg County, to include all of the territory situated within one mile of the corporate limits of said town, with a favorable report.

H. B. 328, a bill to validate all sales for taxes made by the sheriff of Chatham County for the years 1940 and 1941, with a favorable report.

H. B. 337, a bill relating to the office of the clerk of the Superior Court of Jones County, with a favorable report.

H. B. 355, a bill to aid in the collection of delinquent taxes in Transylvania County and the town of Brevard, with a favorable report.

H. B. 356, a bill authorizing the board of commissioners of Transylvania County to appropriate to the general fund all taxes due the county more than two years delinquent, with a favorable report.

H. B. 359, a bill authorizing, empowering and directing the board of county commissioners of Onslow County to deposit all sums of money collected from taxes for the year 1934, and years prior thereto, to the county general fund and school fund, said amounts to be divided equally, with a favorable report.

H. B. 360, a bill to divide the town of Jacksonville into four political divisions or wards and to provide for each to be represented on the city council by a commissioner or alderman and to fix compensation for the mayor and members of the board of commissioners or aldermen and to change the name of certain streets in said town, with a favorable report.

H. B. 362, a bill amending Chapter 109 of the Private Laws of 1933, the same being entitled "An Act relating to special assessments levied by the city of Greensboro," with a favorable report.

H. B. 366, a bill to abolish the office of treasurer of Washington County and to name a bank to act as a depository in lieu thereof, with a favorable report.

H. B. 384, a bill to separate the offices of the sheriff and jailer for Bertie County, with a favorable report.

H. B. 392, a bill to amend Chapter 556 of the Public Local Laws of 1937, relating to term of office of the county accountant of Franklin County, with a favorable report.

H. B. 390, a bill to authorize the governing bodies of Transylvania County and the town of Brevard, by written agreement to provide for the joint collection of taxes for said county and town, with a favorable report.

H. B. 401, a bill to provide for a special school tax election in the Victory School District in Gaston County, with a favorable report.

H. B. 410, a bill providing for the appointment of a court reporter for Greene County, North Carolina, with a favorable report.

H. B. 426, a bill to amend Chapter 360 of the Public Local Laws of 1939 to allow the county commissioners of Caswell County, in their discretion, to increase the allowance to the tax collector for clerical hire, with a favorable report.

H. B. 427, a bill to amend Chapter 100 of the Public Laws of 1927, as amended, to confer additional powers on the sanitary districts in Caswell County, with a favorable report.

H. B. 428, a bill to amend the charter of the town of Roxboro, Chapter 168, Private Laws of 1887, with a favorable report.

H. B. 446, a bill to repeal Chapter 63 of the Public Local Laws of 1941, and to amend Chapter 5 of the Public Local Laws of 1937, relating to the duties of public officers of Northampton County, with a favorable report.

H. B. 454, a bill to provide a schedule of discounts and penalties on poll and property taxes for the towns of Louisburg, Bunn and Youngsville in Franklin County, North Carolina, with a favorable report.

H. B. 467, a bill to amend Chapter 541 of the Public Local Laws of 1933, relating to the deputy sheriffs of Washington County, with a favorable report.

By Senator Horton, for the Committee on Education:



S. B. 228, a bill to compensate Sarah Lee Stanley for medical bill as the result of injuries sustained by being struck by a public school bus, with a favorable report.

Upon motion of Senator Horton, the bill is re-referred to Committee on Appropriations.

S. B. 258, a bill to authorize the State Board of Education to sell notes obtained from loans made from the State Literary Fund, to the board of trustees of the Teachers' and State Employees' Retirement System, of North Carolina, with a favorable report.

By Senator O'Berry, for the Committee on Finance:

S. B. 230, a bill relating to the registration of birth certificates by amending Section 7101 (b) of Volume 2 of the Consolidated Statutes of 1919, as amended, with an unfavorable report.

S. B. 238, a bill to repeal Chapter 431 of the Public Local Laws of 1939, relating to classification for taxation in Iredell County, with a favorable report.

S. B. 254, a bill to declare the necessity of creating public bodies corporate and politic to be known as hospital authorities to engage in hospital construction, maintenance and operation and/or projects to provide hospital accommodations; to provide for the creation of such hospital authorities; to define the powers and duties of hospital authorities and to provide for the exercise of such powers, including acquiring property by purchase, gift or eminent domain, and including borrowing money, issuing revenue and credit bonds and other obligations, and giving security therefor; to confer remedies on obligees of hospital authorities; to provide that hospital authorities, and certain property and securities thereof shall be tax exempt, with a favorable report.

S. B. 257, a bill to validate certain outstanding obligations of the Greensboro-High Point Airport Authority, with a favorable report.

S. B. 271, a bill to authorize the board of commissioners to extend the corporate limits of the city of Wilmington upon petition of a majority of the qualified voters in certain territory adjacent to the city, with a favorable report.

S. B. 275, a bill to authorize the State Treasurer, with the approval of the Governor and Council of State, to reasonably compensate banks paying North Carolina bonds and coupons, with a favorable report.

H. B. 196, a bill to require the county commissioners of Brunswick County to sell county property only at public auction and after giving notice, with a favorable report.

H. B. 447, a bill authorizing the board of commissioners of Northampton County to levy special taxes for the expenses of Northampton County Library, with a favorable report.

H. B. 161, a bill to extend the period during which counties, cities, towns and sanitary districts may issue revenue bonds for the acquisition of revenue-producing undertakings as authorized by Chapter 2 of the Public Laws of the State of North Carolina, Extra Session of 1938, with a favorable report, as amended.

By Senator Lanier, for the Committee on Propositions and Grievances:

S. B. 97, a bill to authorize the establishment of alcoholic beverage control stores in cities of the State having a population of 15,000 or more, when approved by a majority of the qualified voters of such cities, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

S. B. 250, a bill to authorize the board of commissioners of the town of Hoffman in their discretion to refuse to issue licenses to applicants for licenses to sell beer and wine, with a favorable report.

S. B. 252, a bill to prohibit the sale of wine or beer within the corporate limits of the town of Ansonville in Anson County, with a favorable report.

S. B. 187, a bill to make it unlawful for any person to injure fire-fighting apparatus in Harnett County, with a favorable report.

S. B. 219, a bill to prohibit agents and employees of the Pitt County Alcoholic Beverage Control Board from engaging in political activities, with a favorable report.

S. B. 253, a bill to prohibit the sale of wine or beer within the corporate limits of the town of Lilesville in Anson County, with a favorable report.

H. B. 34, a bill to provide that the public schools of Currituck County shall be operated during certain winter months on Eastern Standard Time in force prior to the twentieth of January, 1942, with an unfavorable report.

H. B. 363, a bill to prohibit the manufacture, purchase, sale, dealing in, transportation, possession, advertisement and use of pyrotechnics in Davidson County, with a favorable report.

H. B. 571, a bill to prohibit the operations of music-vending machines in public places and public dance halls in Caldwell County during certain hours, with a favorable report.

By Senator Pittman, for the Committee on Recodification:

S. B. 269, a bill to clarify S. B. 14, the same being the General Statutes of North Carolina, with a favorable report.

S. R. 270, a joint resolution to provide for a commission on Statutory Revision, with a favorable report.

By Senator Smith, for the Committee on Corporations:

H. B. 218, a bill to amend Chapter 77 of the Public Laws of 1925, as amended, relating to the merger or consolidation of corporations, so as to permit corporations of this State to merge as well as consolidate, and to permit corporations of this State to merge and consolidate with corporations of other States, with a favorable report.

By Senator Johnson of Duplin, for the Committee on Judiciary No. 1:

S. B. 259, a bill requiring certain bonds or guaranty or indemnity contracts to state their maximum liability, and specify the period of their coverage, with a favorable report, as amended.

By Senator Carlyle, for the Committee on Calendar:

S. B. 281, a bill to abolish the State School Commission, the State Textbook Commission, the State Board for Vocational Education, and the State Board of Commercial Education, and to transfer their powers, functions and duties to the State Board of Education created by the Constitutional Amendments adopted in 1942, and to provide for the



powers, functions and duties of said newly created State Board of Education in keeping with the provisions of the Constitutional Amendments, with a favorable report.

S. B. 282, a bill nullifying the collection of taxes levied for the years 1927 to 1936, inclusive, by the town of Canton, except where suit has been instituted thereon, with a favorable report.

S. B. 283, a bill to provide recommendations as to indemnity to persons erroneously convicted of felonies in the State of North Carolina, with an unfavorable report.

S. B. 284, a bill providing that upon the extension of the corporate limits of any municipality, coterminous boundaries of the city administrative units shall be likewise extended, with a favorable report.

S. B. 285, a bill to authorize Iredell County to establish and maintain a county law library, with a favorable report.

S. B. 287, a bill to fix the salaries of certain officials of Warren County and to confer upon the board of commissioners of Warren County discretionary powers with respect to salaries, with a favorable report.

S. B. 288, a bill to repeal Chapter 75 of the Public Laws of 1937, exempting Warren County from that part of Section 1681 of the Consolidated Statutes which requires payment for damages done by dogs, and to make provisions for payment of such damages in Warren County, with a favorable report.

S. B. 289, a bill to amend Chapter 357 of the Public Laws of 1941, to exempt the city of Forest City in Rutherford County from Section 9A thereof, with a favorable report.

S. B. 290, a bill relating to unclaimed fees of jurors and witnesses in Rutherford County, with a favorable report.

S. B. 291, a bill to provide for the extension, maintenance and support of Rutherford County Bar Library by amending Section 4 of Chapter 86 of the Public Local Laws of 1939, with a favorable report.

H. B. 531, a bill to provide for a maximum tax rate of 60 cents on the \$100 in the town of Kelford and to validate tax rates heretofore levied, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Mitchell: S. B. 292, a bill to provide for an election on the question of the extension of the corporate limits of the city of Statesville.

Referred to Committee on Calendar.

By Senator Barker: S. B. 293, a bill to regulate the salaries of the prosecuting attorneys and the recorders of the various recorder's court districts of Robeson County.

Referred to Committee on Calendar.

By Senators Bailey, Whitaker, Hodges, Graham, Farthing, Carlyle, Brown, Smith, Blythe and Cherry: S. B. 294, a bill to authorize the Governor and Council of State at such time as mining developments

justify such action to create within the Department of Conservation and Development a Bureau of Mines, to be located in Western North Carolina.

Referred to Committee on Calendar.

By Senator Wilson: S. B. 295, a bill to fix the term of grand juries in Caldwell County.

Referred to Committee on Calendar.

By Senator Wade: S. B. 296, a bill to authorize New Hanover County to establish and maintain a county law library.

Referred to Committee on Calendar.

By Senator Wade: S. B. 297, a bill to provide for the creation of a retirement system for employees of the city of Wilmington, and to provide machinery for the proper administration thereof.

Referred to Committee on Calendar.

By Senator Wade: S. B. 298, a bill to amend the charter of the town of Carolina Beach, so as to provide for the appointment of mayor and aldermen.

Referred to Committee on Calendar.

By Senator Smith: S. B. 299, a bill to amend Chapter 160 of the Private Laws of 1925, as amended, the same being the charter of the town of Mount Airy, and to provide for the holding of a primary for nomination of candidates for the municipal election.

Referred to Committee on Calendar.

By Senator Taylor: S. B. 300, a bill to prohibit the sale of wine or beer within the corporate limits of the town of Morven in Anson County.

Referred to Committee on Calendar.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

S. B. 186, a bill to amend Chapter 222 of the Private Laws of 1893, relating to the charter of the town of Grimesland in Pitt County, for concurrence in the House amendments.

Upon motion of Senator Lanier, the Senate concurs in the House amendments and the bill is ordered enrolled.

H. B. 649, a bill to fix certain terms of court in Camden County.

Referred to Committee on Calendar.

#### CALNDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 255, a bill to amend Chapter 98 of the Public Local Laws of 1941, relating to establishment of an airport authority for the maintenance of airport facilities in the county of Guilford for the citizens of Greensboro, High Point, Guilford County and vicinity, upon second reading.



The bill passes its second reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Blythe, Brock, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—43.

H. B. 358, a bill to amend Chapter 280 of the Private Laws of 1891, the same being the charter of the town of Jacksonville, to allow commissioners of said town to levy a tax for the operation and maintenance of a cemetery, upon second reading.

The bill passes its second reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Blythe, Brock, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—43.

H. B. 382, a bill to validate tax levies and tax sales of Bertie County, upon second reading.

The bill passes its second reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Blythe, Brock, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—43.

H. B. 408, a bill to authorize McDowell County to establish and maintain a county law library, upon second reading.

The bill passes its second reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Blythe, Brock, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—43.

H. B. 449, a bill providing for an extension of the corporate limits of the city of Goldsboro, upon second reading.

The bill passes its second reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Blythe, Brock, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel,

Eagles, Evans, Farthing, Graham, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—43.

H. B. 451, a bill to amend Chapter 125 of the Private Laws of 1901, incorporating the town of Raeford, to provide for vacancy in office of mayor, to change date of election, and to increase tax rate, upon second reading.

The bill passes its second reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Blythe, Brock, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—43.

H. B. 497, a bill to tax and regulate professional bondsmen in Cumberland County, upon second reading.

The bill passes its second reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Blythe, Brock, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, Mitchell, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—43.

S. B. 263, a bill for the relief of W. A. Hall, former sheriff and tax collector of Yancey County.

Upon motion of Senator Price, the bill is re-referred to Committee on Calendar.

S. B. 264, a bill to afford relief to Vernie Towe, widow, and Vaughtie Lucille Towe, minor child, of deputy sheriff William E. Towe, deceased, late of Yancey County, North Carolina.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 267, a bill to authorize the board of county commissioners of Johnston County and the governing bodies of all municipalities therein to refuse to issue wine or beer licenses.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 268, a bill fixing and defining the term of the agricultural tenancy year in Johnston County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 272, a bill to establish for the county of New Hanover and the city of Wilmington a special committee on post-war planning for economic stability.



Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 39, a bill to amend Section 4458 of the Consolidated Statutes, so as to regulate the punishment for public drunkenness in Mecklenburg County.

Senator Wilson offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 46, a bill to provide that all county officers of Currituck County shall furnish at their own expense all bonds required of them by Statute.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 192, a bill to repeal Chapter 95 of the Private Laws of 1935, and to provide for the election of a mayor and board of commissioners for the town of Rutherfordton.

Passes its second and third readings and is ordered enrolled.

H. B. 305, a bill relating to the listing, selling and foreclosure of unlisted taxes, payment of paving assessments and taxes, tax sales and tax foreclosures for the town of Aulander, Bertie County, North Carolina.

Passes its second and third readings and is ordered enrolled.

H. B. 309, a bill to require the board of county commissioners and the board of education of Currituck County to insure county and school property.

Passes its second and third readings and is ordered enrolled.

H. B. 381, a bill authorizing the county commissioners and treasurer of Bertie County to reimburse the sheriff and jailer of Bertie County for settlement of \$1000 and costs of \$189.65 paid to Elma Lloyd Parrish.

Passes its second and third readings and is ordered enrolled.

H. B. 409, a bill to amend Chapter 860 of the Public Laws of 1907, as amended, relating to the recorder's court of the city of Monroe and Union County.

Passes its second and third readings and is ordered enrolled.

H. B. 415, a bill to relieve J. W. Cooper, former sheriff of Bertie County, and the estate of A. O. Askew, former deputy sheriff of Bertie County, from further liability for funds lost in defunct Citizens Bank of Windsor.

Passes its second and third readings and is ordered enrolled.

H. B. 433, a bill to bar the collection of taxes for 1931 and all prior years in Caldwell County.

Passes its second and third readings and is ordered enrolled.

H. B. 462, a bill to repeal Chapter 62 of the Public Local Laws of 1929 and to amend Chapter 383 of the Public Local Laws of 1925 fixing the salary of the sheriff of Currituck County.

Passes its second and third readings and is ordered enrolled.

H. B. 465, a bill to require the sureties of official bonds in Currituck County to be surety, indemnity or guaranty companies authorized to do business in North Carolina.

Passes its second and third readings and is ordered enrolled.

H. B. 473, a bill to appoint a county accountant for Yancey County, and to fix his salary and term of office.

Passes its second and third readings and is ordered enrolled.

H. B. 477, a bill relative to the compensation of the sheriff of Macon County for his duties as tax collector.

Passes its second and third readings and is ordered enrolled.

H. B. 482, a bill to incorporate the Richmond County Airport Commission.

Passes its second and third readings and is ordered enrolled.

H. B. 484, a bill to authorize the town of Louisburg to convey certain property in the town of Louisburg.

Passes its second and third readings and is ordered enrolled.

H. B. 493, a bill to amend Chapter 360 of the Private Laws of 1909, as amended, relating to the charter of the town of Kings Mountain.

Passes its second and third readings and is ordered enrolled.

H. B. 494, a bill to amend Chapter 10 of the Private Laws of 1923, to correct an error appearing therein in the description of the boundaries of the town of Kings Mountain.

Passes its second and third readings and is ordered enrolled.

H. B. 495, a bill to amend the charter of the city of Henderson, relating to the time of filing of candidates for offices in said city.

Passes its second and third readings and is ordered enrolled.

H. B. 519 a bill to amend Chapter 609 of the Public Local Laws of 1939, relating to the civil service commission for the police department of the city of Fayetteville.

The amendments offered by the Committee are adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate amendments.

H. B. 526, a bill to authorize the board of commissioners of Burke County to procure liability insurance for certain automobiles used in official business.

Passes its second and third readings and is ordered enrolled.

H. B. 530, a bill to provide for the nomination and election of a mayor and commissioners for the town of Windsor.

Passes its second and third readings and is ordered enrolled.

H. B. 536, a bill to amend Chapter 357 of the Public Laws of 1939, and to repeal Sections 2 and 3 of Chapter 60 of the Public Laws of 1941, relative to the election of a judge and solicitor for the Richmond Special County Court and the jurisdiction of said court.

Passes its second and third readings and is ordered enrolled.

H. B. 19, a bill to amend and supplement the Revenue Act of 1939, Chapter 158 of 1939, upon second reading.

Senator O'Berry offers several amendments, held not to be material, which are adopted.



The bill, as amended, passes its second reading by roll call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, Mitchell, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—45.

H. B. 336, a bill to amend Chapter 130 of the Public Laws of 1941, relative to the organization and management of mutual burial associations and to provide for supervision thereof, upon second reading.

The bill passes its second reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Lanier, Larkins, Matheny, Mitchell, O'Berry, Palmer, Pittman, Poindexter, Price, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—43.

S. B. 279, a bill to authorize the refunding of deferred payments for license tags made by certain property hauling motor vehicle carriers affected by war conditions.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 100, a bill to amend Section 593 and Section 597 (b) of Volume 3 of the Consolidated Statutes of North Carolina and to repeal Section 597 (c), of Volume 3 of the Consolidated Statutes of North Carolina, so as to permit the clerk of the Superior Court to enter judgments on any day in the week except Sunday.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 284, a bill to amend Chapter 225, Public Laws of 1923, entitled "An Act to provide for the supervision and examination of industrial banks by the Corporation Commission," as amended, so as to provide additional powers to those provided in Section 6 of said Act.

Passes its second and third readings and is ordered enrolled.

H. B. 285, a bill to amend Chapter 154, Public Laws of 1937, adding a new paragraph to Section 220 (a) of the Consolidated Statutes, regulating the making of loans generally referred to as personal loans, so as to authorize commercial banks to make personal or industrial loans in the same manner as industrial banks.

Passes its second and third readings and is ordered enrolled.

H. B. 369, a bill to amend Section 6141 of the Consolidated Statutes, as amended, to change the title of the Historical Commission to State Department of Archives and History.

Passes its second and third readings and is ordered enrolled.

H. B. 373, a bill to amend Sections 2429 and 2430 of the Consolidated Statutes of North Carolina, relating to libel and slander by radio or television stations.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Pittman, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.

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#### FORTY-FOURTH DAY

SENATE CHAMBER,

Thursday, February 25, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Larkins, George Watts Carr, III, of Durham, N. C., is made an honorary page of the Senate.

Upon motion of Senator Pittman, the courtesies of the lobby are extended to Doctor J. Y. Joyner, former Superintendent of Public Instruction of North Carolina.

Upon motion of Senator Matheny, the courtesies of the lobby are extended to Mrs. Lee B. Weathers, wife of Senator Weathers of Cleveland County.

Upon motion of Senator Gregory, the courtesies of the lobby are extended to Mrs. Charles Fink of Salisbury, N. C., wife of the President of the North Carolina Federation of Labor.

Upon motion of Senator Price, the courtesies of the lobby are extended to Tom Henderson of Caswell County.

Upon motion of Senator Johnson of Duplin, the courtesies of the lobby are extended to John R. Croom of Duplin County.

Upon motion of Senator Sanders, Miss Susan Ruth Brooks, young daughter of Senator Brooks of Durham County, is made an honorary page of the Senate.

Upon motion of Senator Pittman, the courtesies of the lobby are extended to George W. Edwards and Mark C. Lassiter, both of Snow Hill, N. C., and J. A. Jones of Kinston, N. C.

Upon motion of Senator Evans, the courtesies of the lobby are extended to Mrs. Thomas S. Rollins, Jr., Miss Elizabeth Roulfs and Camden W. Melick of Pasquotank County.

The President extends the courtesies of the lobby to W. W. Morrell, L. C. Bradsher, James A. Long, Jr., E. D. Paylor and Paul Howard, all of Roxboro, N. C.

Upon motion of Senator Gregory, S. B. 121, a bill to amend Section 6597 of the Consolidated Statutes of North Carolina by rewriting said Section so as to change the manner of establishing the Library Com-



mission of North Carolina, is recalled from the House of Representatives.

#### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 145, an act to extend the jurisdiction of the mayor's court of the city of Statesville to all territory within a one-mile radius of said city limits.

S. B. 186, an act to amend Chapter 222 of the Private Laws of 1893, relating to the charter of the town of Grimesland in Pitt County.

H. B. 192, an act to repeal Chapter 95 of the Private Laws of 1935 and to provide for the election of a mayor and board of commissioners for the town of Rutherfordton.

H. B. 284, an act to amend Chapter 225, Public Laws of 1923, entitled "An Act to provide for the supervision and examination of industrial banks by the corporation commission," as amended, so as to provide additional powers to those provided in Section 6 of said Act.

H. B. 285, an act to amend Chapter 154, Public Laws of 1937, adding a new paragraph to Section 220 (a) of the Consolidated Statutes regulating the making of loans generally referred to as personal loans, so as to authorize commercial banks to make personal or industrial loans in the same manner as industrial banks.

H. B. 305, an act relating to the listing, selling and foreclosure of unlisted taxes, payment of paving assessments and taxes, tax sales and tax foreclosures for the town of Aulander, Bertie County, North Carolina.

H. B. 309, an act to require the board of county commissioners and the board of education of Currituck County to insure county and school property.

H. B. 369, an act to amend Section 6141 of the Consolidated Statutes, as amended, to change the title of the Historical Commission to State Department of Archives and History.

H. B. 373, an act to amend Sections 2429 and 2430 of the Consolidated Statutes of North Carolina relating to libel and slander by radio or television stations.

H. B. 381, an act authorizing the county commissioners and treasurer of Bertie County to reimburse the sheriff and jailer of Bertie County for settlement of \$1000 and costs of \$189.65 paid to Elma Lloyd Parrish.

H. B. 409, an act to amend Chapter 860 of the Public Laws of 1907, as amended, relating to the recorder's court of the city of Monroe and Union County.

H. B. 415, an act to relieve J. W. Cooper, former sheriff of Bertie County, and the estate of A. O. Askew, former deputy sheriff of Bertie County, from further liability for funds lost in defunct Citizens Bank of Windsor.

H. B. 433, an act to bar the collection of taxes for 1931 and all prior years in Caldwell County.

H. B. 462, an act to repeal Chapter 62 of the Public Local Laws of

1929 and to amend Chapter 383 of the Public Local Laws of 1925 fixing the salary of the sheriff of Currituck County.

H. B. 465, an act to require the sureties on official bonds in Currituck County to be surety, indemnity, or guaranty companies authorized to do business in North Carolina.

H. B. 473, an act to appoint a county accountant for Yancey County, and to fix his salary and term of office.

H. B. 477, an act relative to the compensation of the sheriff of Macon County for his duties as tax collector.

H. B. 482, an act to incorporate the Richmond County Airport Commission.

H. B. 484, an act to authorize the town of Louisburg to convey certain property in the town of Louisburg.

H. B. 493, an act to amend Chapter 360 of the Private Laws of 1909, as amended, relating to the charter of the town of Kings Mountain.

H. B. 494, an act to amend Chapter 10 of the Private Laws of 1923, to correct an error appearing therein in the description of the boundaries of the town of Kings Mountain.

H. B. 495, an act to amend the charter of the city of Henderson relating to the time of filing of candidates for offices in said city.

H. B. 526, an act to authorize the board of commissioners of Burke County to procure liability insurance for certain automobiles used in official business.

H. B. 530, an act to provide for the nomination and election of a mayor and commissioners for the town of Windsor.

H. B. 536, an act to amend Chapter 357 of the Public Laws of 1939 and to repeal Sections 2 and 3 of Chapter 60 of the Public Laws of 1941, relative to the election of a judge and solicitor for the Richmond special county court and the jurisdiction of said court.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Gregory, for the Committee on Library:

S. B. 261, a bill to appoint a commission to preserve the birthplace of Andrew Johnson in Raleigh, North Carolina, with a favorable report.

By Senator Whitaker, for the Committee on Election Laws:

S. B. 41, a bill to amend Chapter 159 of the Public Laws of 1939, relating to absentee voting in general elections, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

S. B. 167, a bill to authorize the county commissioners of Avery County to direct the board of elections to call an election for the purpose of submitting to the voters of said county the question of whether the sale of beer and wine in said county shall be prohibited, with a favorable report.

S. B. 256, a bill to amend Section 6 of Chapter 100 of the Public Laws of North Carolina, Session 1927, relating to election of members of sanitary district boards, with a favorable report.



S. B. 180, a bill to change the boundaries of Williams Township and South Williams Township election precincts in Columbus County by transferring Black Creek school district to South Williams Township precinct, with a favorable report.

H. B. 139, a bill relating to the election and duties of the tax supervisor and collector for Avery County by amending Chapter 409 of the Public Local Laws of 1935, with a favorable report.

H. B. 199, a bill to increase the compensation of members of the county board of elections to five dollars per day in order to place all members on an equal basis with the chairman of said board of elections while engaged in the discharge of their duties, with a favorable report.

H. B. 216, a bill to increase the compensation of judges of elections in Currituck County for their services on the day of a primary or election from the sum of four dollars to the sum of five dollars in order to place the compensation of said judges of elections on the same basis as registrars, with a favorable report.

H. B. 440, a bill to create a municipal board of elections for the town of Boone in Watauga County, with a favorable report, as amended.

H. B. 263, a bill to repeal Chapter 183, Public Local Laws of 1941, and to re-enact Chapter 460, Public Local Laws of 1933, to provide for the nomination and election of county commissioners of Pasquotank County by the qualified voters of the entire county, with a favorable report.

By Senators Taylor and O'Berry, for the Committee on Appropriations:

S. B. 249, a bill to amend Chapter 2, Public Laws of 1929, relating to the allowance of traveling expenses to the Lieutenant Governor, with a favorable report.

S. B. 273, a bill to amend Section 5875 of the Consolidated Statutes, relating to the compensation of the members of the board of directors of the State School for the Blind and Deaf at Raleigh, with a favorable report.

By Senator Blythe, for the Committee on Public Health:

S. B. 95, a bill to create a board of naturopathic examiners and to regulate the practice of naturopathy and to provide penalties for violation of this act, and to prohibit the practice of any other mode or system under the name of naturopathy, with an unfavorable report.

S. B. 166, a bill to regulate the practice of cosmetic art in the State of North Carolina, with an unfavorable report.

By Senator Farthing, for the Committee on Military Affairs:

H. R. 544, a joint resolution indorsing the Pharmacy Corps Bill, H. R. 997, S. R. 216, to create a Pharmacy Corps in the United States Army, now pending in the Congress of the United States, with a favorable report.

By Senator Watkins, for the Committee on Counties, Cities and Towns:

H. B. 439, a bill to authorize the board of commissioners of Anson County to adjust all delinquent taxes for the year 1935 and all prior years, with a favorable report.

H. B. 441, a bill to amend Chapter 218, Public Local Laws of 1941, relating to special tax levy of Sampson County for repairs to jail and other county buildings, with a favorable report.

H. B. 443, a bill to amend Chapter 453 of the Public Local Laws of 1931 to allow mileage to the chairman of the board of commissioners of Sampson County, with a favorable report.

By Senator Barber, for the Committee on Courts and Judicial Districts:

H. B. 335, a bill to amend Section 4384 of the Consolidated Statutes of North Carolina, relating to officers wilfully failing to discharge their duties, so as to make said Section applicable to recorders and prosecuting attorneys of recorder's courts, with a favorable report.

H. B. 394, a bill to amend Section 1567 of the Consolidated Statutes to provide that the recorder's court of Franklin County shall not assume jurisdiction of criminal cases within the original jurisdiction of justices of the peace until the expiration of six months after the commission of such crimes, with a favorable report.

H. B. 402, a bill to amend Chapter 761 of the Public Local Laws of 1913, as amended, so as to provide for the removal of judges and solicitors and filling vacancies in the several recorder's courts of Robeson County, with a favorable report.

S. B. 244, a bill to amend Section 1443 of the Consolidated Statutes of 1919 to change the terms of Superior Court in Columbus County, with a favorable report.

H. B. 403, a bill to provide for the removal of causes from one recorder's court to another in Robeson County and for the appointment of assistant recorders and assistant solicitors of said courts, with a favorable report.

H. B. 399, a bill to amend Chapter 651 of the Public Laws of 1909, as amended, the same being entitled "An Act to establish a municipal court for the city of Greensboro and prescribe the jurisdiction thereof," with a favorable report.

By Senator Carlyle, for the Committee on Calendar:

S. B. 263, a bill for the relief of W. A. Hall, former sheriff and tax collector of Yancey County, with an unfavorable report.

S. B. 292, a bill to provide for an election on the question of the extension of the corporate limits of the city of Statesville, with a favorable report.

S. B. 293, a bill to regulate the salaries of the prosecuting attorneys and the recorders of the various recorders' courts districts of Robeson County, with a favorable report.

H. B. 294, a bill to authorize the Governor and Council of State at such time as mining developments justify such action to create within the Department of Conservation and Development a Bureau of Mines, to be located in Western North Carolina, with a favorable report.

S. B. 295, a bill to fix the term of grand juries in Caldwell County, with a favorable report.

S. B. 296, a bill to authorize New Hanover County to establish and maintain a county law library, with a favorable report.



S. B. 297, a bill to provide for the creation of a retirement system for employees of the city of Wilmington, and to provide machinery for the proper administration thereof, with a favorable report.

S. B. 299, a bill to amend Chapter 160 of the Private Laws of 1925, as amended, the same being the charter of the town of Mount Airy, and to provide for the holding of a primary for nomination of candidates for the municipal election, with a favorable report.

S. B. 300, a bill to prohibit the sale of wine or beer within the corporate limits of the town of Morven in Anson County, with a favorable report.

H. B. 377, a bill to repeal Chapter 190 of the Public Laws of 1931 and exempting Macon County from the state-wide primary law, with a favorable report.

H. B. 445, a bill to amend Chapter 290, Public Local Laws of 1935, relating to clerk hire for register of deeds of Sampson County, with a favorable report.

H. B. 649, a bill to fix certain terms of court in Camden County, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Johnson of Duplin: S. B. 301, a bill to amend Article III, Section 11 of the Constitution with reference to the compensation of the Lieutenant Governor.

Upon motion of Senator Johnson of Duplin, the rules are suspended and the bill is taken up for immediate consideration.

The bill passes its second reading by roll call vote, ayes 40, noes 1, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Eagles, Evans, Graham, Gregory, Harrelson, Hodges, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, Mitchell, O'Berry, Palmer, Pittman, Poindexter, Price, Sanders, Smith, Taylor, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—40.

Those voting in the negative are: Senator Horton—1.

The bill passes its third reading by roll call vote, ayes 40, noes 1, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Eagles, Evans, Graham, Gregory, Harrelson, Hodges, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, Mitchell, O'Berry, Palmer, Pittman, Poindexter, Price, Sanders, Smith, Taylor, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—40.

Those voting in the negative are: Senator Horton—1.

The bill is ordered sent to the House of Representatives.

By Senator Chaffin: S. B. 302, a bill to provide for collection of delinquent taxes by the tax collector of Harnett County, to provide

for his compensation, and to amend Chapter 42 of the Public Local Laws of 1924 in so far as it relates thereto.

Referred to Committee on Calendar.

By Senator Chaffin: S. B. 303, a bill to amend Section 2935 (A) of the Consolidated Statutes of North Carolina, relating to game.

Referred to Committee on Calendar.

By Senator Hodges, by request: S. B. 304, a bill requiring citation of previous deed on all deeds of conveyance filed for registration in Buncombe County.

Referred to Committee on Calendar.

By Senator Cherry: S. B. 305, a bill to authorize the Governor, with the approval of the Council of State, to allocate funds for the purpose of completing the establishment of the vocational textile school at Belmont in order that same may be placed in operation as soon as possible.

Referred to Committee on Calendar.

By Senator Cherry: S. B. 306, a bill to authorize Gastonia Township in Gaston County, North Carolina, subject to the approval of a majority of the qualified voters therein, to issue bonds for an airport and to authorize the levy and collection of an annual tax for the maintenance thereof.

Upon motion of Senator Cherry, the bill is placed upon the Calendar.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 533, a bill to amend Chapter 699 of the Public Local Laws of 1927, relating to the removal of cases from the High Point municipal court to the Superior Court.

Referred to Committee on Calendar.

H. B. 539, a bill to facilitate the disposition and sale of property acquired by Pasquotank County and the city of Elizabeth City at tax foreclosure sales.

Referred to Committee on Calendar.

H. B. 558, a bill to amend Section 1681 of the Consolidated Statutes of North Carolina, and to exempt New Hanover County from certain of the provisions thereof.

Referred to Committee on Calendar.

H. B. 561, a bill to remove Rutherford County from the provisions of Section 1681 of Volume 1 of the Consolidated Statutes of 1919, as amended, relating to the payment of damages by dogs.

Referred to Committee on Calendar.

H. B. 616, a bill to amend Chapter 8 of the Public Local Laws of 1931, being "An Act providing for a peace officers' relief fund for the city of Salisbury and Rowan County."

Referred to Committee on Calendar.



## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 255, a bill to amend Chapter 98 of the Public Local Laws of 1941, relating to establishment of an airport authority for the maintenance of airport facilities in the county of Guilford for the citizens of Greensboro, High Point, Guilford County and vicinity, upon third reading.

The bill passes its third reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, O'Berry, Pittman, Poin-dexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—43.

The bill is ordered sent to the House of Representatives.

H. B. 358, a bill to amend Chapter 280 of the Private Laws of 1891, the same being the charter of the town of Jacksonville, to allow commissioners of said town to levy a tax for the operation and maintenance of a cemetery, upon third reading.

The bill passes its third reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, O'Berry, Pittman, Poin-dexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—43.

The bill is ordered enrolled.

H. B. 382, a bill to validate tax levies and tax sales of Bertie County, upon third reading.

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, O'Berry, Pittman, Poin-dexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—43.

The bill is ordered enrolled.

H. B. 408, a bill to authorize McDowell County to establish and maintain a county law library, upon third reading.

The bill passes its third reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Graham, Gregory,

Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, O'Berry, Pittman, Poin-dexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—43.

The bill is ordered enrolled.

H. B. 449, a bill providing for an extension of the corporate limits of the city of Goldsboro, upon third reading.

The bill passes its third reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, O'Berry, Pittman, Poin-dexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—43.

The bill is ordered enrolled.

H. B. 451, a bill to amend Chapter 125 of the Private Laws of 1901, incorporating the town of Raeford, to provide for vacancy in office of mayor, to change the date of election, and to increase tax rate, upon third reading.

The bill passes its third reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, O'Berry, Pittman, Poin-dexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—43.

The bill is ordered enrolled.

H. B. 497, a bill to tax and regulate professional bondsmen in Cumberland County, upon third reading.

The bill passes its third reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, O'Berry, Pittman, Poin-dexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—43.

The bill is ordered enrolled.

S. B. 257, a bill to validate certain outstanding obligations of the Greensboro-High Point airport authority, upon second reading.

The bill passes its second reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Graham, Gregory,



Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkin, Leary, Matheny, Mitchell, O'Berry, Pittman, Poin-dexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—43.

S. B. 271, a bill to authorize the board of commissioners to extend the corporate limits of the city of Wilmington upon petition of a majority of the qualified voters in certain territory adjacent to the city, upon second reading.

The bill passes its second reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, O'Berry, Pittman, Poin-dexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—43.

S. B. 285, a bill to authorize Iredell County to establish and maintain a county law library, upon second reading.

Senator Mitchell offers an amendment, held not to be material, which is adopted.

The bill, as amended, passes its second reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, O'Berry, Pittman, Poin-dexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—43.

S. B. 289, a bill to amend Chapter 357 of the Public Laws of 1941 to exempt the city of Forest City in Rutherford County from Section 9A thereof, upon second reading.

The bill passes its second reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, O'Berry, Pittman, Poin-dexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—43.

S. B. 291, a bill to provide for the extension, maintenance, and support of Rutherford County bar library by amending Section 4 of Chapter 86 of the Public Local Laws of 1939, upon second reading.

The bill passes its second reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Graham, Gregory,

Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, O'Berry, Pittman, Poin-dexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—43.

H. B. 531, a bill to provide for a maximum tax rate of 60 cents on the \$100 in the town of Kelford and to validate tax rates heretofore levied, upon second reading.

The bill passes its second reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, O'Berry, Pittman, Poin-dexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—43.

H. B. 447, a bill authorizing the board of commissioners of Northampton County to levy special taxes for the expenses of Northampton County library, upon second reading.

The bill passes its second reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkin, Leary, Matheny, Mitchell, O'Berry, Pittman, Poin-dexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—43.

S. B. 143, a bill to fix the salaries for public officials and employees in Durham County, for concurrence in the House amendment.

Upon motion of Senator Sanders, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 187, a bill to make it unlawful for any person to injure fire fighting apparatus in Harnett County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 219, a bill to prohibit agents and employees of the Pitt County Alcoholic Beverage Control Board from engaging in political activities.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 234, a bill to fix the compensation of the county commissioners and members of the board of education of Alexander County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 236, a bill to fix the salaries of certain deputy sheriffs of Duplin County.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.



S. B. 238, a bill to repeal Chapter 431 of the Public Local Laws of 1939, relating to classification for taxation in Iredell County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 243, a bill to regulate the salaries of officials and employees of Columbus County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 250, a bill to authorize the board of commissioners of the town of Hoffman in their discretion to refuse to issue licenses to applicants for licenses to sell beer and wine.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 252, a bill to prohibit the sale of wine or beer within the corporate limits of the town of Ansonville in Anson County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 253, a bill to prohibit the sale of wine or beer within the corporate limits of the town of Lilesville in Anson County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 265, a bill to fix the salaries of the judge and prosecuting attorney of the recorder's court in Caldwell County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 277, a bill to fix the jury fees for all the recorders' courts of Robeson County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 278, a bill to provide for a county attorney on a salary basis for the county of Robeson.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 282, a bill nullifying the collection of taxes levied for the years 1927 to 1936, inclusive, by the town of Canton, except where suit has been instituted thereon.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 287, a bill to fix the salaries of certain officials of Warren County and to confer upon the board of commissioners of Warren County discretionary powers with respect to salaries.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 288, a bill to repeal Chapter 75 of the Public Laws of 1937 exempting Warren County from that part of Section 1681 of the Consolidated Statutes which requires payment for damages done by dogs, and to make provisions for payment of such damages in Warren County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 290, a bill relating to unclaimed fees of jurors and witnesses in Rutherford County.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 196, a bill to require the county commissioners of Brunswick County to sell county property only at public auction and after giving notice.

Passes its second and third readings and is ordered enrolled.

H. B. 287, a bill to authorize the town of Bessemer City in Gaston County to sell at private sale property purchased by it at a tax foreclosure sale.

Passes its second and third readings and is ordered enrolled.

H. B. 302, a bill to fix the salaries for the deputy sheriffs of Davidson County.

Passes its second and third readings and is ordered enrolled.

H. B. 319, a bill to extend the jurisdiction of police officers of the town of Huntersville, in Mecklenburg County, to include all of the territory situated within one mile of the corporate limits of said town.

Passes its second and third readings and is ordered enrolled.

H. B. 328, a bill to validate all sales for taxes made by the sheriff of Chatham County for the years 1940 and 1941.

Passes its second and third readings and is ordered enrolled.

H. B. 337, a bill relating to the office of clerk of the Superior Court of Jones County.

Passes its second and third readings and is ordered enrolled.

H. B. 355, a bill to aid in the collection of delinquent taxes in Transylvania County and the town of Brevard.

Passes its second and third readings and is ordered enrolled.

H. B. 356, a bill authorizing the board of commissioners of Transylvania County to appropriate to the general fund all taxes due the county more than two years delinquent.

Passes its second and third readings and is ordered enrolled.

H. B. 359, a bill authorizing, empowering, and directing the board of county commissioners of Onslow County to deposit all sums of money collected from taxes for the year 1934, and years prior thereto, to the county general fund and school fund, said amounts to be divided equally.

Passes its second and third readings and is ordered enrolled.

H. B. 360, a bill to divide the town of Jacksonville into four political divisions or wards and to provide for each to be represented on the city council by a commissioner or alderman and to fix compensation for the mayor and members of the board of commissioners or aldermen and to change the names of certain streets in said town.

Passes its second and third readings and is ordered enrolled.

H. B. 362, a bill amending Chapter 109 of the Private Laws of 1933, the same being entitled "An Act relating to special assessments levied by the city of Greensboro."

Passes its second and third readings and is ordered enrolled.

H. B. 363, a bill to prohibit the manufacture, purchase, sale, dealing



in, transportation, possession, advertisement and use of pyrotechnics in Davidson County.

Passes its second and third readings and is ordered enrolled.

H. B. 366, a bill to abolish the office of treasurer in Washington County and to name a bank to act as a depository in lieu thereof.

Passes its second and third readings and is ordered enrolled.

H. B. 383, a bill to fix the salaries of the board of county commissioners of Bertie County.

Passes its second and third readings and is ordered enrolled.

H. B. 384, a bill to separate the offices of the sheriff and jailer for Bertie County.

Passes its second and third readings and is ordered enrolled.

H. B. 390, a bill to authorize the governing bodies of Transylvania County and the town of Brevard, by written agreement, to provide for the joint collection of taxes for said county and town.

Passes its second and third readings and is ordered enrolled.

H. B. 392, a bill to amend Chapter 556 of the Public Local Laws of 1937, relating to term of office of the county accountant of Franklin County.

Passes its second and third readings and is ordered enrolled.

H. B. 400, a bill to provide for the compensation of the members of the board of county commissioners of Rutherford County.

Passes its second and third readings and is ordered enrolled.

H. B. 401, a bill to provide for a special school tax election in the Victory School district in Gaston County.

Passes its second and third readings and is ordered enrolled.

H. B. 404, a bill to amend Chapter 65 of the Private Laws of 1925, relating to the officers of the town of Fairmont, so as to provide salaries for the mayor and town commissioners.

Passes its second and third readings and is ordered enrolled.

H. B. 410, a bill providing for the appointment of a court reporter for Greene County, North Carolina.

Passes its second and third readings and is ordered enrolled.

H. B. 419, a bill relating to the fixing of fees of the sheriff, constables and justices of the peace of Jones County.

Passes its second and third readings and is ordered enrolled.

H. B. 420, a bill to amend Chapter 302 of the Public Local Laws of 1941, relating to the fees to be collected by the clerk of the Superior Court of Guilford County.

Passes its second and third readings and is ordered enrolled.

H. B. 426, a bill to amend Chapter 360 of the Public Local Laws of 1939 to allow the county commissioners of Caswell County, in their discretion, to increase the allowance to the tax collector for clerical hire.

Passes its second and third readings and is ordered enrolled.

H. B. 427, a bill to amend Chapter 100 of the Public Laws of 1927, as amended, to confer additional powers on the sanitary districts in Caswell County.

Passes its second and third readings and is ordered enrolled.

H. B. 428, a bill to amend the charter of the town of Roxboro, Chapter 168, Private Laws of 1887.

Passes its second and third readings and is ordered enrolled.

H. B. 430, a bill to amend Section 3907 of the Consolidated Statutes to provide fees for the register of deeds of Carteret County in certain cases.

Passes its second and third readings and is ordered enrolled.

H. B. 437, a bill to fix the salary of clerk of the Superior Court of Pasquotank County.

Passes its second and third readings and is ordered enrolled.

H. B. 446, a bill to repeal Chapter 63 of the Public Local Laws of 1941 and to amend Chapter 5 of the Public Local Laws of 1937, relating to the duties of public officers of Northampton County.

Passes its second and third readings and is ordered enrolled.

H. B. 450, a bill to provide compensation for the clerk of the Superior Court of Washington County for his services as judge of juvenile court.

Passes its second and third readings and is ordered enrolled.

H. B. 454, a bill to provide a schedule of discounts and penalties on poll and property taxes for the towns of Louisburg, Bunn and Youngsville in Franklin County, North Carolina.

Passes its second and third readings and is ordered enrolled.

H. B. 455, a bill to amend Chapter 441 of the Public Local Laws of 1937, relating to the salary of the deputy register of deeds of Union County.

Passes its second and third readings and is ordered enrolled.

H. B. 456, a bill to fix the compensation for the several cotton weighers in Union County.

Passes its second and third readings and is ordered enrolled.

H. B. 459, a bill relating to the salary of the members of the board of county commissioners of Lenoir County.

Passes its second and third readings and is ordered enrolled.

H. B. 460, a bill to amend the charter of the city of Kinston relating to the compensation of the mayor and members of the board of aldermen of said city.

Passes its second and third readings and is ordered enrolled.

H. B. 467, a bill to amend Chapter 541 of the Public Local Laws of 1933, relating to the deputy sheriffs of Washington County.

Passes its second and third readings and is ordered enrolled.

H. B. 496, a bill to fix the compensation of the county surveyor of Surry County.

Passes its second and third readings and is ordered enrolled.

H. B. 571, a bill to prohibit the operation of music vending machines in public places and public dance halls in Caldwell County during certain hours.

Passes its second and third readings and is ordered enrolled.

H. B. 19, a bill to amend and supplement the Revenue Act of 1939, Chapter 158 of 1939, upon third reading.

Senator O'Berry offers several amendments, held not to be material, which are adopted.



The bill, as amended, passes its third reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, Mitchell, O'Berry, Palmer, Pittman, Poindexter, Price, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—43.

The bill is ordered returned to the House of Representatives for concurrence in the Senate amendments.

H. B. 336, a bill to amend Chapter 130 of the Public Laws of 1941 relative to the organization and management of mutual burial associations and to provide for supervision thereof, upon third reading.

The bill passes its third reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, Mitchell, O'Berry, Palmer, Pittman, Poindexter, Price, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—43.

The bill is ordered enrolled.

S. B. 161, a bill to extend the period during which counties, cities, towns, and sanitary districts may issue revenue bonds for the acquisition, construction, reconstruction, improvement, betterment, and extension of revenue producing undertakings as authorized by Chapter 2 of the Public Laws of the State of North Carolina, Extra Session of 1938, upon second reading.

The amendment offered by the Committee, held not to be material, is adopted.

The bill, as amended, passes its second reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, Mitchell, O'Berry, Palmer, Pittman, Poindexter, Price, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—43.

S. B. 254, a bill to declare the necessity of creating public bodies corporate and politic to be known as hospital authorities to engage in hospital construction, maintenance and operation and/or projects to provide hospital accommodations; to provide for the creation of such hospital authorities; to define the powers and duties of hospital authorities and to provide for the exercise of such powers, including acquiring property by purchase, gift, or eminent domain, and including borrowing money, issuing revenue and credit bonds and other obligations, and giving security therefor; to confer remedies on

obligees of hospital authorities; to provide that hospital authorities, and certain property and securities thereof shall be tax exempt, upon second reading.

Senator Carlyle offers an amendment, held not to be material, which is adopted.

The bill, as amended, passes its second reading by roll call vote, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, Mitchell, O'Berry, Palmer, Pittman, Poindexter, Price, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—43.

S. B. 284, a bill providing that upon the extension of the corporate limits of any municipality, coterminous boundaries of city administrative units shall be likewise extended.

Upon motion of Senator Brooks, action on the bill is deferred until tomorrow.

S. B. 269, a bill to clarify S. B. 14, the same being the General Statutes of North Carolina.

Senator Pittman offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 38, a bill to amend Chapter 1 of the Public Laws of the Extra Session of 1936, known as the Unemployment Compensation Law, and all amendments and additions thereto.

The amendments offered by the Committee are adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives without engrossment.

S. B. 97, a bill to authorize the establishment of alcoholic beverage control stores in cities of the State having a population of 10,000 or more, when approved by a majority of the qualified voters of such cities.

The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 258, a bill to authorize the State Board of Education to sell notes, obtained from loans made from the State Literary Fund, to the board of trustees of the teachers and state employees retirement system of North Carolina.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 259, a bill requiring certain bonds or guaranty or indemnity contracts to state their maximum liability, and specify the period of their coverage.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. R. 270, a joint resolution to provide for a commission on statutory revision.



Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 275, a bill to authorize the State Treasurer, with the approval of the Governor and Council of State, to reasonably compensate banks paying North Carolina bonds and coupons.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 281, a bill to abolish the State School Commission, the State Textbook Commission, the State Board for Vocational Education, and the State Board of Commercial Education, and to transfer their powers, functions and duties to the State Board of Education created by the Constitutional Amendments adopted in 1942 and to provide for the powers, functions and duties of said newly created State Board of Education in keeping with the provisions of the Constitutional Amendments.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 63, a bill to authorize county commissioners to provide compensation for members of rationing boards while in the actual performance of their duties.

Upon motion of Senator Lanier, action on the bill is deferred until tomorrow.

H. B. 218, a bill to amend Chapter 77 of the Public Laws of 1925, as amended, relating to the merger or consolidation of corporations, so as to permit corporations of this State to merge as well as consolidate, and to permit corporations of this State to merge and consolidate with corporations of other states.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Johnson of Halifax, the Senate adjourns to meet tomorrow at 12 o'clock M.

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#### FORTY-FIFTH DAY

SENATE CHAMBER,

Friday, February 26, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. John D. Larkins, Sr., retired Baptist minister of Wilmington, N. C., father of Senator Larkins of Jones County.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Cherry, the courtesies of the floor are extended to Honorable Sol Blatt, Speaker of the House of Representatives of South Carolina, J. M. Tuten, Chairman of the South Carolina House Ways and Means Committee, N. A. Turner, an attorney from South Carolina, and I. M. Bailey, an attorney of Raleigh, N. C.

Speaker Blatt spoke to the Session briefly, bringing greetings from

Governor Olin D. Johnston of South Carolina and the General Assembly of South Carolina.

Upon motion of Senator Johnson of Halifax, the courtesies of the floor are extended to former Senator W. L. Long of Halifax County.

Upon motion of Senator Pittman, the courtesies of the lobby are extended to E. A. Raspberry and H. Maynard Hicks of Greene County.

#### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 54, an act to amend the School Machinery Act of 1939, to provide for a nine-months school term.

S. B. 127, an act to authorize the board of aldermen of the town of Canton, Haywood County, to regulate the prices charged by persons operating vehicles for hire in the town, except those under the jurisdiction of the Utilities Commission of North Carolina.

S. B. 171, an act to empower the county commissioners of Alamance County to make an appropriation for assisting in the erection of a memorial and improving a memorial cemetery for certain war veterans.

S. B. 175, an act to amend Chapter 357 of the Public Laws of 1941, relating to retirements for employees of counties, cities and towns, so as to make Section 9A inapplicable to New Hanover County and the city of Wilmington.

S. B. 189, an act authorizing the transfer of certain assets to the general funds of Montgomery County.

S. B. 190, an act to repeal Chapter 208 of the Public Local Laws of 1925, relative to the issuance of bonds by the governing bodies within Montgomery County.

S. B. 191, an act to place all schools in Halifax Township under the supervision, control and direction of the Halifax County Board of Education.

S. B. 199, an act to amend Chapter 258, Public Local Laws of 1933, as amended, entitled "An Act to regulate the duties of sheriff of Edgecombe County and establish office of tax collector of Edgecombe County," to increase salaries of sheriff and deputy sheriffs of Edgecombe County.

S. B. 204, an act to provide for the systematic advertising of the resources and advantages of Rowan County and to authorize expenditures therefor.

S. B. 235, an act to provide the method of selection of the judge and prosecuting attorney of the general county court of Duplin County and to provide for the appointment of an assistant judge and assistant prosecuting attorney for said court.

S. B. 237, an act to authorize the clerk of the Superior Court of Iredell County to reappoint the commissioners of the Iredell-Rowan Drainage District No. 1, and ratifying actions of said commissioners heretofore appointed.



S. B. 246, an act to extend the terms of office of the county commissioners, the register of deeds, the recorder and the solicitor of the Iredell County Recorder's Court to December, 1946, and to provide for four-year terms thereafter.

S. B. 247, an act to change the term of office of the mayor of the city of Statesville from two years to four years.

H. B. 39, an act to amend Section 4458 of the Consolidated Statutes, so as to regulate the punishment for public drunkenness in Mecklenburg County.

H. B. 46, an act to provide that all county officers of Currituck County shall furnish at their own expense all bonds required of them by Statute.

H. B. 218, an act to amend Chapter 77 of the Public Laws of 1925, as amended, relating to the merger or consolidation of corporations, so as to permit corporations of this State to merge as well as consolidate, and to permit corporations of this State to merge and consolidate with corporations of other States.

H. B. 319, an act to extend the jurisdiction of police officers of the town of Huntersville, in Mecklenburg County, to include all of the territory situated within one mile of the corporate limits of said town.

H. B. 336, an act to amend Chapter 130 of the Public Laws of 1941, relative to the organization and management of mutual burial associations and to provide for supervision thereof.

H. B. 355, an act to aid in the collection of delinquent taxes in Transylvania County and the town of Brevard.

H. B. 356, an act authorizing the board of commissioners of Transylvania County to appropriate to the general fund all taxes due the county more than two years delinquent.

H. B. 359, an act authorizing, empowering and directing the board of county commissioners of Onslow County to deposit all sums of money collected from taxes for the year 1934, and years prior thereto, to the county general fund and school fund, said amounts to be divided equally.

H. B. 362, an act amending Chapter 109 of the Private Laws of 1933, the same being entitled "An Act relating to special assessments levied by the city of Greensboro."

H. B. 363, an act to prohibit the manufacture, purchase, sale, dealing in, transportation, possession, advertisement and use of pyrotechnics in Davidson County.

H. B. 366, an act to abolish the office of treasurer of Washington County and to name a bank to act as a depository in lieu thereof.

H. B. 383, an act to fix the salaries of the board of county commissioners of Bertie County.

H. B. 390, an act to authorize the governing bodies of Transylvania County and the town of Brevard, by written agreement to provide for the joint collection of taxes for said county and town.

H. B. 400, an act to provide for the compensation of the members of the board of county commissioners of Rutherford County.

H. B. 404, an act to amend Chapter 65 of the Private Laws of 1925,

relating to the officers of the town of Fairmont, so as to provide salaries for the mayor and town commissioners.

H. B. 408, an act to authorize McDowell County to establish and maintain a county law library.

H. B. 410, an act providing for the appointment of a court reporter for Greene County, North Carolina.

H. B. 420, an act to amend Chapter 302 of the Public Local Laws of 1941, relating to the fees to be collected by the clerk of the Superior Court of Guilford County.

H. B. 426, an act to amend Chapter 360 of the Public Local Laws of 1939, to allow the county commissioners of Caswell County, in their discretion, to increase the allowance to the tax collector for clerical help.

H. B. 427, an act to amend Chapter 100 of the Public Laws of 1927, as amended, to confer additional powers on the sanitary districts in Caswell County.

H. B. 428, an act to amend the charter of the town of Roxboro, Chapter 168, Private Laws of 1887.

H. B. 430, an act to amend Section 3907 of the Consolidated Statutes to provide fees for the register of deeds of Carteret County in certain cases.

H. B. 437, an act to fix the salary of clerk of the Superior Court of Pasquotank County.

H. B. 449, an act providing for an extension of the corporate limits of the city of Goldsboro.

H. B. 450, an act to provide compensation for the clerk of the Superior Court of Washington County for his services as judge of juvenile court.

H. B. 454, an act to provide a schedule of discounts and penalties on poll and property taxes for the towns of Louisburg, Bunn and Youngs, ville in Franklin County, North Carolina.

H. B. 455, an act to amend Chapter 441 of the Public Local Laws of 1937, relating to the salary of the deputy register of deeds of Union County.

H. B. 456, an act to fix the compensation for the several cotton weighers in Union County.

H. B. 459, an act relating to the salary of the members of the board of county commissioners of Lenoir County.

H. B. 460, an act to amend the charter of the city of Kinston, relating to the compensation of the mayor and members of the board of aldermen of said city.

H. B. 467, an act to amend Chapter 541 of the Public Local Laws of 1933, relating to the deputy sheriffs of Washington County.

H. B. 496, an act to fix the compensation of the county surveyor of Surry County.

H. B. 519, an act to amend Chapter 609 of the Public Local Laws of 1939, relating to the civil service commission for the police department of the city of Fayetteville.



## ENGROSSED BILLS

Senator Poindexter, for the Committee on Engrossed Bills, reports the following bills as properly engrossed, and the same is ordered sent to the House of Representatives:

S. B. 278, a bill to provide for a county attorney on a salary basis for the county of Robeson.

S. B. 259, a bill requiring certain bonds or guaranty or indemnity contracts to state their maximum liability, and specify the period of their coverage.

S. B. 236, a bill to fix the salaries of certain deputy sheriffs of Duplin County.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Taylor, for the Committee on Appropriations:

S. B. 11, a bill to make appropriations for the maintenance of the State's departments, bureaus, institutions and agencies, and for other purposes, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

S. B. 12, a bill to make supplemental appropriations for the State's departments, bureaus, institutions and agencies, and for the specific purpose of providing a war bonus for public school teachers and other State employees, with an unfavorable report as to bill, but favorable as to substitute offered by the Committee.

By Senator O'Berry, for the Committee on Finance:

S. B. 276, a bill providing for the regulation of aeronautics within this State: creating a State Aeronautics Commission: providing the powers and duties of such commission: to provide funds for its administration, the maintaining of existing airports and selection of future sites for additional airports: providing for the promulgation and issuance of rules and regulations by such commission, with an unfavorable report.

S. B. 286, a bill authorizing the city of Wilmington, North Carolina, to acquire the utility properties of the Tide Water Power Company in the Southeastern portion of the State, and to improve, extend, enlarge, reconstruct, maintain, repair, and operate such properties; providing for the creation of the Wilmington Utilities Commission and fixing the powers and duties of such commission; providing for the issuance of revenue bonds of the city, payable solely from earnings, to pay the cost of such acquisition and of such improvements; providing that no debt of the city shall be incurred in the exercise of any of the powers granted by this Act; providing for the imposition and collection of fees, rates and charges for the services and facilities rendered by such utilities, and for the application of such revenues; authorizing the issuance of revenue refunding bonds; providing for the execution of trust agreements to secure the payment of such revenue bonds without mortgaging or encumbering such properties; making such bonds exempt

from taxation; and providing for payments to counties, cities and towns in lieu of taxes, with an unfavorable report.

By Senator Palmer, for the Committee on Salaries and Fees:

H. B. 444, a bill to amend Chapter 279 of the Public Local Laws of 1913, to increase the pay of the county commissioners of Sampson County, with a favorable report.

H. B. 457, a bill to place the register of deeds of Mitchell County on a fee basis and to prescribe said fees, with a favorable report.

By Senator Ballentine, for the Committee on Agriculture:

H. B. 306, a bill to establish a standard rule of measurement of saw logs or other round timber, with an unfavorable report.

S. B. 266, a bill to amend Chapter 409 of the Public Laws of 1937, as amended, relating to the establishment of maximum working hours so as to provide relief for persons, firms or corporations engaged in the processing of dairy products in Caldwell County, with a favorable report.

H. B. 436, a bill to provide a hog cholera prevention program for Pasquotank County and to permit the sale and use of hog cholera vaccine therefor, with a favorable report.

By Senator Watkins, for the Committee on Counties, Cities and Towns:

H. B. 438, a bill to authorize the board of commissioners of Anson County to appoint rural policemen and fix their salaries, and to provide for the collection of delinquent taxes, with a favorable report, as amended.

H. B. 458, a bill to repeal Chapter 442 of the Public Local Laws of 1941, relating to the auditing of funds of Mitchell County, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

By Senator Horton, for the Committee on Education:

S. B. 239, a bill to amend the School Machinery Act, the same being Chapter 358, Public Laws of 1939, as amended, with a favorable report, as amended.

By Senator Cherry, for the Committee on Public Roads:

H. B. 239, a bill to amend Section 16 of Chapter 407 of the Public Laws of 1937, to exempt farm tractors and other farm vehicles from licensing and registration under the Motor Vehicle Law, with a favorable report, as amended.

S. B. 20, a bill to require the State Highway and Public Works Commission to drag private roads leading from State highways, and clean ditches along the same for a distance not exceeding one and one-half miles, with an unfavorable report.

S. B. 60, a bill for the relief of William Hardy Davenport, former employee of the State Highway Commission, with an unfavorable report.

Upon motion of Senator Daniel, the bill is taken from the unfavorable Calendar and re-referred to the Committee on Calendar.

By Senator Carlyle, for the Committee on Calendar:

S. B. 302, a bill to provide for collection of delinquent taxes by the tax collector of Harnett County, to provide for his compensation, and



to amend Chapter 42 of the Public Local Laws of 1924 in so far as it relates thereto, with a favorable report.

S. B. 303, a bill to amend Section 2135 (A) of the Consolidated Statutes of North Carolina, relating to game, with a favorable report.

H. B. 533, a bill to amend Chapter 699 of the Public Local Laws of 1927, relating to the removal of cases from the High Point Municipal Court to the Superior Court, with a favorable report.

H. B. 539, a bill to facilitate the disposition and sale of property acquired by Pasquotank County and the city of Elizabeth City at tax foreclosure sales, with a favorable report.

H. B. 558, a bill to amend Section 1681 of the Consolidated Statutes of North Carolina, and to exempt New Hanover County from certain of the provisions thereof, with a favorable report.

H. B. 561, a bill to remove Rutherford County from the provisions of Section 1681 of Volume 1 of the Consolidated Statutes of 1919, as amended, relating to the payment of damages by dogs, with a favorable report.

H. B. 616, a bill to amend Chapter 8 of the Public Local Laws of 1931, being "An Act providing for a Peace Officer's Relief Fund for the city of Salisbury and Rowan County," with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senators Blythe, Weathers and others: S. R. 307, a joint resolution calling upon all law enforcement agencies of the State to strictly enforce State laws against vagrancy, to aid in the war effort.

The bill is placed upon the Calendar.

By Senator Clark: S. B. 308, a bill to amend Chapter 103 of the Consolidated Statutes of 1919, relating to the method of commitment to hospitals for insane.

Referred to Committee on Calendar.

By Senator Wade: S. B. 309, a bill to amend Chapter 329 of the Public Laws of 1935, the same being "An Act to require threshers of wheat to secure a license from and file reports with the register of deeds of their county, so as to exempt the county of New Hanover from the provisions thereof."

Referred to Committee on Calendar.

By Senator Wade: S. B. 310, a bill relative to the collection of back taxes in New Hanover County and the city of Wilmington.

Referred to Committee on Calendar.

By Senator Palmer: S. B. 311, a bill relating to making of improvements in cemeteries located in Cabarrus County and which are operated for private gain or profit.

Upon motion of Senator Palmer, the bill is placed upon the Calendar.

By Senator Mitchell: S. B. 312, a bill to establish for the county of Iredell a special committee on post-war planning for industrial and agricultural stability.

Referred to Committee on Calendar.

By Senators Blythe, Ballentine and Funderburk: S. R. 313, a joint resolution with respect to a suitable memorial for Andrew Jackson, James K. Polk and Andrew Johnson.

Upon motion of Senator Ballentine, the rules are suspended and the resolution is taken up for immediate consideration.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Ballentine: S. B. 314, a bill protecting wild turkeys in Wake County.

Referred to Committee on Calendar.

By Senator Wilson: S. B. 315, a bill to compensate J. J. Johnson, a former member of the North Carolina State Highway Patrol, for injuries sustained.

Referred to Committee on Calendar.

By Senators Taylor and Cherry: S. B. 316, a bill to authorize the Governor and Council of State to provide from the contingency and emergency fund for demands made on the Veterans Service Office occasioned by present war conditions.

Referred to Committee on Calendar.

By Senator Daniel: S. B. 317, a bill for filling vacancies on the board of county commissioners of Beaufort County, and to fix the term of office of said commissioners.

Upon motion of Senator Daniel, the rules are suspended and the bill is taken up for immediate consideration.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Currie: S. B. 318, a bill to amend Chapter 100 of the Public Laws of 1927, as amended, relating to sanitary districts so as to provide for the dissolution thereof.

Referred to Committee on Calendar.

By Senator Wallace: S. B. 319, a bill to authorize the Montgomery County Board of Education to settle a boundary dispute involving the boundaries to Troy Public School property by executing a quitclaim deed.

Referred to Committee on Calendar.

By Senator Pittman: S. B. 320, a bill to rearrange the Sections and Articles of Chapter 97 of the General Statutes for codification purposes.

Referred to Committee on Calendar.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

S. B. 16, a bill to provide for a more uniform representation of the people of Halifax County on the board of county commissioners.

Upon motion of Senator Johnson of Halifax, the bill is placed upon the Calendar.

H. B. 106, a bill to provide for compensation for the injury of



Thelma Farthing, a school child of Watauga County, received while buses were loading after school.

Referred to Committee on Calendar.

H. B. 149, a bill to reimburse Paul Westmoreland of Forsyth County for damages to his automobile and person through collision with a school bus April 15, 1942.

Referred to Committee on Calendar.

H. B. 220, a bill to appropriate funds for the equipment of the North Carolina State Guard.

Upon motion of Senator Hudgins, the bill is placed upon the Calendar.

H. B. 299, a bill to amend Chapter 52 of the Public Laws of 1935, so as to authorize the licensing of persons fifteen years of age to operate motor vehicles.

Referred to Committee on Calendar.

H. B. 262, a bill to authorize the State School Commission to provide reimbursement for a loss sustained resulting from a collision with a school bus in Pamlico County, if found to be due to the negligence of the bus driver.

Referred to Committee on Calendar.

H. B. 347, a bill to amend Chapter 225, Public Laws of 1923, entitled "An Act to provide for the supervision and examination of industrial banks by the Corporation Commission," as amended, so as to provide for fee in lieu of interest, investigation fee and other charges on loans of less than \$50.00.

Referred to Committee on Calendar.

H. B. 282, a bill designating the number of the district school committeemen in Yancey County by amending Chapter 196 of the Public Laws of 1941.

Referred to Committee on Calendar.

H. B. 370, a bill authorizing counties to promote and protect the public health by the drainage of streams, and to authorize the levy of taxes therefor.

Referred to Committee on Calendar.

H. B. 375, a bill to amend Section 7 of Article 14 of the Constitution of North Carolina, relating to double office holding.

Referred to Committee on Calendar.

H. B. 354, a bill to provide for the cancellation of term of the Superior Court.

Referred to Committee on Calendar.

H. B. 368, a bill to reimburse Lloyd Church of Avery County for medical and hospital expenses expended on behalf of his minor child for injuries caused by school bus.

Referred to Committee on Calendar.

H. B. 406, a bill to clarify sundry sections of the law, relating to the prison department of the State Highway and Public Works Commission as set forth in Chapter 148 of the General Statutes.

Referred to Committee on Calendar.

H. B. 407, a bill to clarify sundry sections of the law, relating to

the State Highway and Public Works Commission as set forth in Chapter 136 of the General Statutes.

Referred to Committee on Calendar.

H. B. 414, a bill to amend Chapter 179 of the Public Laws of 1933, as amended by Chapter 54 of the Public Laws of 1935, as amended by Chapter 234 of the Public Laws of 1941, relative to the practice of cosmetic art in the State of North Carolina so as to bring the funds collected and the expenditure of such funds under the provisions of the State Budget Act and under the supervision of the Director of the Budget.

Referred to Committee on Calendar.

H. B. 416, a bill to authorize the allocation of funds from the Contingency and Emergency Fund to the State Planning Board.

Referred to Committee on Calendar.

H. B. 429, a bill to prevent the spread of tuberculosis.

Referred to Committee on Calendar.

H. R. 714, a joint resolution expressing appreciation to Commander John P. Graff, U. S. N. Ret., and Honorable John W. Umstead, Junior, for arranging the visit of the General Assembly to the Naval Pre-Flight School in Chapel Hill.

Upon motion of Senator Sanders, the rules are suspended and the resolution is taken up for immediate consideration.

Passes its second and third readings and the bill is ordered enrolled.

H. B. 503, a bill to amend Chapter 159 of the Public Local Laws of 1935, providing a closed season for hunting foxes in Montgomery County.

Referred to Committee on Calendar.

H. B. 521, a bill to amend Chapter 321 of the Public Laws of 1941, relating to terms of Superior Courts in the sixth Judicial District, to provide for a civil and criminal term in Onslow County in May of each year.

Referred to Committee on Calendar.

H. B. 425, a bill to prohibit the killing of red foxes in Alleghany County.

Referred to Committee on Calendar.

H. B. 529, a bill to provide for additional clerk hire in the offices of clerk of Superior Court and register of deeds of Davie County.

Referred to Committee on Calendar.

H. B. 537, a bill to reduce the term of office of the judge of recorder's court of Brunswick County from four to two years, to fix the salary of the said judge and to repeal Chapter 327 of the Public Local Laws of 1939.

Referred to Committee on Calendar.

H. B. 538, a bill to reduce the term of office of the county commissioners of Brunswick County from four to two years and to repeal Chapter 386 of the Public Local Laws of 1939.

Referred to Committee on Calendar.

H. B. 551, a bill adopting a standard form of agricultural lien and chattel mortgage, chattel mortgage, and title note, and fixing the fees for recording same in Johnston County.

Referred to Committee on Calendar.



H. B. 552, a bill validating a new index and cross index system for real estate records from 1746 through 1939 in the office of the register of deeds for Johnston County.

Referred to Committee on Calendar.

H. B. 559, a bill to amend the charter of the town of Wrightsville Beach.

Referred to Committee on Calendar.

H. B. 586, a bill to provide additional funds for maintenance of Buncombe County Law Library.

Referred to Committee on Calendar.

H. B. 590, a bill creating the office of tax collector for Hertford County and repealing Chapter 259 of the Public Local Laws of 1933.

Referred to Committee on Calendar.

H. B. 598, a bill to amend Chapter 302 of the Private Laws of 1913, to provide that the town clerk of the town of Oxford shall be the clerk to the mayor's court, and to provide a turnkey fee.

Referred to Committee on Calendar.

H. B. 601, a bill to amend Chapter 37, Private Laws, 1923, entitled "An Act to incorporate the city of Greensboro, to define its corporate limits, and to provide for its government; to repeal the present charter of the city of Greensboro except as provided herein; to provide for the control and support of the present Greensboro School District, and for other purposes, as amended.

Referred to Committee on Calendar.

H. B. 606, a bill to repeal Chapter 278 of the Private Laws of 1907, incorporating "The town of Royall Cotton Mills."

Referred to Committee on Calendar.

H. B. 608, a bill to prohibit the manufacture, purchase, sale, dealing in, transportation, possession, advertisement and use of pyrotechnics in Harnett County.

Referred to Committee on Calendar.

H. B. 640, a bill to authorize the board of commissioners of Henderson County to operate the county jail, and to regulate the salaries of certain officials.

Referred to Committee on Calendar.

H. B. 641, a bill to amend and extend the provisions of Chapter 494, Public Local Laws of 1939, relating to the collection of delinquent taxes in Henderson County.

Referred to Committee on Calendar.

H. B. 642, a bill to appoint a member of the board of water commissioners of the city of Hendersonville.

Referred to Committee on Calendar.

H. R. 688, a joint resolution continuing the commission appointed by the Governor of the State of North Carolina as provided in Joint Resolution 21 of the General Assembly of 1941, ratified March 10, 1941, for the purpose of continuing its investigation and study and recommending to the General Assembly of 1945 a redistricting of the judicial and solicitorial districts of the State and arranging a schedule of court to conform to such redistricting.

Referred to Committee on Calendar.

HOUSE OF REPRESENTATIVES,  
Thursday, February 25, 1943.

*Mr. President:*

It is ordered that a message be sent your Honorable Body with the information that pursuant to your request the House is returning herewith S. B. 121, entitled "A bill to be An Act to amend Section 6597 of the Consolidated Statutes of North Carolina by rewriting said Section so as to change the manner of establishing the Library Commission of North Carolina" for further consideration of your Honorable Body.

Respectfully,

SHEARON HARRIS, *Principal Clerk.*

Upon motion of Senator Gregory, the vote by which the bill passed its third reading is reconsidered and the bill is re-referred to Committee on Library.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 257, a bill to validate certain outstanding obligations of the Greensboro-High Point Airport Authority, upon third reading.

The bill passes its third reading by roll call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, O'Berry, Palmer, Pittman, Price, Ruark, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—42.

The bill is ordered sent to the House of Representatives.

S. B. 271, a bill to authorize the board of commissioners to extend the corporate limits of the city of Wilmington upon petition of a majority of the qualified voters in certain territory adjacent to the city, upon third reading.

The bill passes its third reading by roll call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, O'Berry, Palmer, Pittman, Price, Ruark, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—42.

The bill is ordered sent to the House of Representatives.

S. B. 285, a bill to authorize Iredell County to establish and maintain a county law library, upon third reading.

The bill passes its third reading by roll call vote, ayes 42, noes 0, as follows:



Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, O'Berry, Palmer, Pittman, Price, Ruark, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—42.

The bill is ordered engrossed.

S. B. 289, a bill to amend Chapter 357 of the Public Laws of 1941, to exempt the city of Forest City in Rutherford County from Section 9A thereof, upon third reading.

The bill passes its third reading by roll call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, O'Berry, Palmer, Pittman, Price, Ruark, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—42.

The bill is ordered sent to the House of Representatives.

S. B. 291, a bill to provide for the extension, maintenance and support of Rutherford County Bar Library by amending Section 4 of Chapter 86 of the Public Local Laws of 1939, upon third reading.

The bill passes its third reading by roll call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, O'Berry, Palmer, Pittman, Price, Ruark, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—42.

The bill is ordered sent to the House of Representatives.

H. B. 447, a bill authorizing the board of commissioners of Northampton County to levy special taxes for the expenses of Northampton County Library, upon third reading.

The bill passes its third reading by roll call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, O'Berry, Palmer, Pittman, Price, Ruark, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—42.

The bill is ordered enrolled.

H. B. 531, a bill to provide for a maximum tax rate of 60 cents on the \$100 in the town of Kelford and to validate tax rates heretofore levied, upon third reading.

The bill passes its third reading by roll call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, O'Berry, Palmer, Pittman, Price, Ruark, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—42.

The bill is ordered enrolled.

S. B. 292, a bill to provide for an election on the question of the extension of the corporate limits of the city of Statesville, upon second reading.

The bill passes its second reading by roll call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, O'Berry, Palmer, Pittman, Price, Ruark, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—42.

S. B. 296, a bill to authorize New Hanover County to establish and maintain a county law library, upon second reading.

The bill passes its second reading by roll call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, O'Berry, Palmer, Pittman, Price, Ruark, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—42.

S. B. 297, a bill to provide for the creation of a retirement system for employees of the city of Wilmington, and to provide machinery for the proper administration thereof upon second reading.

The bill passes its second reading by roll call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, O'Berry, Palmer, Pittman, Price, Ruark, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—42.

S. B. 306, a bill to authorize Gastonia Township in Gaston County, North Carolina, subject to the approval of a majority of the qualified voters therein, to issue bonds for an airport and to authorize the levy and collection of an annual tax for the maintenance thereof, upon second reading.



The bill passes its second reading by roll call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, O'Berry, Palmer, Pittman, Price, Ruark, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—42.

H. B. 441, a bill to amend Chapter 218, Public Local Laws of 1941, relating to special tax levy of Sampson County for repairs to jail and other county buildings, upon second reading.

The bill passes its second reading by roll call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Leary, Matheny, O'Berry, Palmer, Pittman, Price, Ruark, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—42.

S. B. 167, a bill to authorize the county commissioners of Avery County to direct the board of elections to call an election for the purpose of submitting to the voters of said county the question of whether the sale of beer and wine in said county shall be prohibited.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 180, a bill to change the boundaries of Williams Township and South Williams Township election precincts in Columbus County by transferring Black Creek School District to South Williams Township precinct.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 244, a bill to amend Section 1443 of the Consolidated Statutes of 1919, to change the terms of Superior Court in Columbus County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 293, a bill to regulate the salaries of the prosecuting attorneys and the recorders of the various recorders' courts districts of Robeson County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 295, a bill to fix the term of grand juries in Caldwell County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 299, a bill to amend Chapter 160 of the Private Laws of 1925, as amended, the same being the charter of the town of Mount Airy, and to provide for the holding of a primary for nomination of candidates for the municipal election.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 300, a bill to prohibit the sale of wine or beer within the corporate limits of the town of Morven in Anson County.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 139, a bill relating to the election and duties of the tax supervisor and collector for Avery County by amending Chapter 409 of the Public Local Laws of 1935.

Passes its second and third readings and is ordered enrolled.

H. B. 199, a bill to increase the compensation of members of the county board of elections to five dollars per day in order to place all members on an equal basis with the chairman of said board of elections while engaged in the discharge of their duties.

Passes its second and third readings and is ordered enrolled.

H. B. 216, a bill to increase the compensation of judges of elections in Currituck County for their services on the day of a primary or election from the sum of four dollars to the sum of five dollars in order to place the compensation of said judges of elections on the same basis as registrars.

Passes its second and third readings and is ordered enrolled.

H. B. 263, a bill to repeal Chapter 183, Public Local Laws of 1941, and to re-enact Chapter 460, Public Local Laws of 1933, to provide for the nomination and election of county commissioners of Pasquotank County by the qualified voters of the entire county.

Passes its second and third readings and is ordered enrolled.

H. B. 377, a bill to repeal Chapter 190 of the Public Laws of 1931, and exempting Macon County from the State-wide Primary Law.

Passes its second and third readings and is ordered enrolled.

H. B. 394, a bill to amend Section 1567 of the Consolidated Statutes to provide that the recorder's court of Franklin County shall not assume jurisdiction of criminal cases within the original jurisdiction of justices of the peace until the expiration of six months after the commission of such crimes.

Passes its second and third readings and is ordered enrolled.

H. B. 399, a bill to amend Chapter 651 of the Public Laws of 1909, as amended, the same being entitled "An Act to establish a municipal court of the city of Greensboro and prescribe the jurisdiction thereof."

Passes its second and third readings and is ordered enrolled.

H. B. 402, a bill to amend Chapter 761 of the Public Local Laws of 1913, as amended, so as to provide for the removal of judges and solicitors and filling vacancies in the several recorders' courts of Robeson County.

Passes its second and third readings and is ordered enrolled.

H. B. 403, a bill to provide for the removal of causes from one recorder's court to another in Robeson County and for the appointment of assistant recorders and assistant solicitors of said courts.

Passes its second and third readings and is ordered enrolled.

H. B. 439, a bill to authorize the board of commissioners of Anson County to adjust all delinquent taxes for the year 1935 and all prior years.

Passes its second and third readings and is ordered enrolled.



H. B. 440, a bill to create a municipal board of elections for the town of Boone in Watauga County.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 443, a bill to amend Chapter 453 of the Public Local Laws of 1931, to allow mileage to the chairman of the board of commissioners of Sampson County.

Passes its second and third readings and is ordered enrolled.

H. B. 445, a bill to amend Chapter 290, Public Local Laws of 1935, relating to clerk hire for register of deeds of Sampson County.

Passes its second and third readings and is ordered enrolled.

H. B. 649, a bill to fix certain terms of court in Camden County.

Passes its second and third readings and is ordered enrolled.

S. B. 161, a bill to extend the period during which counties, cities, towns and sanitary districts may issue revenue bonds for the acquisition, construction, reconstruction, improvement, betterment and extension of revenue-producing undertakings as authorized by Chapter 2 of the Public Laws of the State of North Carolina, Extra Session of 1938, upon third reading.

The bill passes its third reading by roll call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Ballentine, Barber, Barker, Benton, Blythe, Brock, Carlyle, Chaffin, Clark, Cole, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, Mitchell, O'Berry, Palmer, Pittman, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—40.

The bill is ordered engrossed.

S. B. 254, a bill to declare the necessity of creating public bodies corporate and politic to be known as hospital authorities to engage in hospital construction, maintenance and operation and/or projects to provide hospital accommodations; to provide for the creation of such hospital authorities; to define the powers and duties of hospital authorities and to provide for the exercise of such powers, including acquiring property by purchase, gift or eminent domain, and including borrowing money, issuing revenue and credit bonds and other obligations, and giving security therefor; to confer remedies on obligees of hospital authorities; to provide that hospital authorities, and certain property and securities thereof shall be tax exempt, upon third reading.

The bill passes its third reading by roll call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Ballentine, Barber, Barker, Benton, Blythe, Brock, Carlyle, Chaffin, Clark, Cole, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, Mitchell, O'Berry, Palmer, Pittman, Price, Ruark, Sanders, Smith,

Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—40.

The bill is ordered engrossed.

S. B. 284, a bill providing that upon the extension of the corporate limits of any municipality, coterminous boundaries of city administrative units shall be likewise extended, upon second reading.

The bill passes its second reading by roll call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Ballentine, Barber, Barker, Benton, Blythe, Brock, Carlyle, Chaffin, Clark, Currie, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, Mitchell, O'Berry, Palmer, Pittman, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—40.

S. B. 41, a bill to amend Chapter 159 of the Public Laws of 1939, relating to absentee voting in general elections in North Carolina.

The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 249, a bill to amend Chapter 2, Public Laws of 1929, relating to the allowance of traveling expenses to the Lieutenant Governor.

Senator O'Berry offers an amendment which is adopted.

The bill, as amended, passes its second reading.

The bill fails to pass its third reading.

S. B. 256, a bill to amend Section 6 of Chapter 100 of the Public Laws of North Carolina, Session 1927, relating to election of members of sanitary district boards.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 261, a bill to appoint a commission to preserve the birthplace of Andrew Johnson in Raleigh, North Carolina.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 273, a bill to amend Section 5875 of the Consolidated Statutes, relating to the compensation of the members of the board of directors of the State School for the Blind and Deaf at Raleigh.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 294, a bill to authorize the Governor and Council of State at such time as mining developments justify such action to create within the Department of Conservation and Development a Bureau of Mines, to be located in Western North Carolina.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 63, a bill to authorize county commissioners to provide compensation for members of rationing boards while in the actual performance of their duties.

Passes its second and third readings and is ordered enrolled.



H. B. 335, a bill to amend Section 4384 of the Consolidated Statutes of North Carolina, relating to officers wilfully failing to discharge their duties, so as to make said Section applicable to recorders and prosecuting attorneys of recorders' courts.

Passes its second and third readings and is ordered enrolled.

H. R. 544, a joint resolution indorsing the Pharmacy Corps Bill, H. R. 997, S. R. 216, to create a Pharmacy Corps in the United States Army, now pending in the Congress of the United States.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Johnson of Duplin, the Senate recesses to meet this afternoon at 2:30 o'clock.

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### AFTERNOON SESSION

SENATE CHAMBER,  
Friday, February 26, 1943.

The Senate meets pursuant to recess, and is called to order by Lieutenant Governor R. L. Harris.

Upon motion of Senator Larkins, Robert Smith, grandson of Senator Benton of Johnston County, is made an honorary page of the Senate.

Upon motion of Senator Mitchell, the courtesies of the floor are extended to former Representative John R. McLaughlin of Iredell County.

The President appoints Billy Tucker of Draper, N. C. an honorary page of the Senate.

Upon motion of Senator Larkins, the courtesies of the lobby are extended to Mrs. R. P. Mitchell, mother of Senator Mitchell of Iredell County, and his sister, Mrs. Florence Walton.

### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. R. 714, a joint resolution expressing appreciation to Commander John P. Graff, U. S. N., Ret., and Honorable John W. Umstead, Junior, for arranging the visit of the General Assembly to the Naval Pre-Flight School in Chapel Hill.

H. B. 100, an act to amend Section 593 and Section 597 (b) of Volume 3 of the Consolidated Statutes of North Carolina and to repeal Section 597 (c) of Volume 3 of the Consolidated Statutes of North Carolina, so as to permit the clerk of the Superior Court to enter judgments on any day in the week except Sunday.

H. B. 196, an act to require the county commissioners of Brunswick County to sell county property only at public auction and after giving notice.

H. B. 287, an act to authorize the town of Bessemer City in Gaston County to sell at private sale property purchased by it at a tax foreclosure sale.

H. B. 302, an act to fix the salaries for the deputy sheriffs of Davidson County.

H. B. 328, an act to validate all sales for taxes made by the sheriff of Chatham County for the years 1940 and 1941.

H. B. 337, an act relating to the office of the clerk of the Superior Court of Jones County.

H. B. 358, an act to amend Chapter 280 of the Private Laws of 1891, the same being the charter of the town of Jacksonville, to allow commissioners of said town to levy a tax for the operation and maintenance of a cemetery.

H. B. 360, an act to divide the town of Jacksonville into four political divisions or wards and to provide for each to be represented on the city council by a commissioner or alderman and to fix compensation for the mayor and members of the board of commissioners or aldermen and to change the names of certain streets in said town.

H. B. 382, an act to validate tax levies and tax sales of Bertie County.

H. B. 384, an act to separate the offices of the sheriff and jailer for Bertie County.

H. B. 392, an act to amend Chapter 556 of the Public Local Laws of 1937, relating to term of office of the county accountant of Franklin County.

H. B. 401, an act to provide for a special school tax election in the Victory School District in Gaston County.

H. B. 419, an act relating to the fixing of fees of the sheriff, constables and justices of the peace of Jones County.

H. B. 446, an act to repeal Chapter 63 of the Public Local Laws of 1941 and to amend Chapter 5 of the Public Local Laws of 1937, relating to the duties of public officers of Northampton County.

H. B. 451, an act to amend Chapter 125 of the Private Laws of 1901, incorporating the town of Raeford, to provide for vacancy in office of mayor, to change date of election, and to increase tax rate.

H. B. 497, an act to tax and regulate professional bondsmen in Cumberland County.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Carlyle, for the Committee on Calendar:

S. B. 309, a bill to amend Chapter 329 of the Public Laws of 1935, the same being "An Act to require threshers of wheat to secure a license from and file reports with the register of deeds of their county," so as to exempt the county of New Hanover from the provisions thereof, with an unfavorable report.

S. B. 310, a bill relative to the collection of back taxes in New Hanover County and the city of Wilmington, with an unfavorable report.

Upon motion of Senator Carlyle, the bill is taken from the unfavorable Calendar and re-referred to the Committee on Calendar.



S. B. 320, a bill to rearrange the Sections and Articles of Chapter 97 of the General Statutes for codification purposes, with a favorable report.

The bill is placed upon today's Calendar.

S. B. 314, a bill protecting wild turkeys in Wake County, with a favorable report.

The bill is placed upon today's Calendar.

S. B. 315, a bill to compensate J. J. Johnson, a former member of the North Carolina State Highway Patrol, for injuries sustained, with an unfavorable report.

S. B. 316, a bill to authorize the Governor and Council of State to provide from the contingency and emergency fund for demands made on the Veterans Service Office occasioned by present war conditions, with a favorable report.

The bill is placed upon today's Calendar.

S. B. 312, a bill to establish for the county of Iredell a special committee on post-war planning for industrial and agricultural stability, with an unfavorable report.

Upon motion of Senator Carlyle, the bill is taken from the unfavorable Calendar and re-referred to the Committee on Calendar.

S. B. 319, a bill to authorize the Montgomery County Board of Education to settle a boundary dispute involving the boundaries to Troy public school property by executing a quit-claim deed, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 149, a bill to reimburse Paul Westmoreland of Forsyth County for damages to his automobile and person through collision with a school bus on April 15, 1942, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 262, a bill to authorize the State School Commission to provide reimbursement for a loss sustained resulting from a collision with a school bus in Pamlico County, if found to be due to the negligence of the bus driver, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 299, a bill to amend Chapter 52 of the Public Laws of 1935 so as to authorize the licensing of persons fifteen years of age to operate motor vehicles, with an unfavorable report.

Upon motion of Senator Ballentine, the bill is taken from the unfavorable Calendar and placed upon today's Calendar.

H. B. 347, a bill to amend Chapter 225, Public Laws of 1923, entitled "An Act to provide for the supervision and examination of industrial banks by the Corporation Commission," as amended, so as to provide for fee in lieu of interest, investigation fee and other charges on loans of less than \$50.00, with an unfavorable report.

H. B. 354, a bill to provide for the cancellation of terms of the Superior Court, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 370, a bill authorizing counties to promote and protect the public health by the drainage of streams, and to authorize the levy of taxes therefor, with an unfavorable report.

H. B. 375, a bill to amend Section 7 of Article 14 of the Constitution of North Carolina, relating to double office holding, with a favorable report.

H. B. 414, a bill to amend Chapter 179 of the Public Laws of 1933 as amended by Chapter 54 of the Public Laws of 1935, as amended by Chapter 234 of the Public Laws of 1941, relative to the practice of cosmetic art in the State of North Carolina so as to bring the funds collected and the expenditure of such funds under the provisions of the State Budget Act and under the supervision of the Director of the Budget, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 416, a bill to authorize the allocation of funds from the contingency and emergency fund to the State Planning Board, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 425, a bill to prohibit the killing of red foxes in Alleghany County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 429, a bill to prevent the spread of tuberculosis, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 503, a bill to amend Chapter 159 of the Public Local Laws of 1935, providing a closed season for hunting foxes in Montgomery County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 538, a bill to reduce the term of office of the county commissioners of Brunswick County from four to two years and to repeal Chapter 386 of the Public Local Laws of 1939, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 551, a bill adopting a standard form of agricultural lien and chattel mortgage, chattel mortgage, and title note, and fixing fees for recording same in Johnston County, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

The bill is placed upon today's Calendar.

H. B. 552, a bill validating a new index and cross index system for real estate records from 1746 through 1939 in the office of the register of deeds for Johnston County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 586, a bill to provide additional funds for maintenance of Buncombe County Law Library, with a favorable report.

The bill is placed upon today's Calendar.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 180, a bill to regulate the closing hours of places selling beer and/or wine in North Carolina.

Upon motion of Senator Johnson of Duplin, the rules are suspended and the bill is taken up for immediate consideration.



Passes its second and third readings and is ordered enrolled.

H. B. 469, a bill to amend Section 996 of the Consolidated Statutes, relating to revocation of deeds of future interests made to persons not in esse.

Referred to Committee on Calendar.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Cherry: S. B. 321, a bill to amend "The North Carolina Workmen's Compensation Act," Chapter 120, Public Laws of 1929, as amended by Chapter 449, Public Laws of 1933, so as to give the employer the exclusive right of action against the third party within six months and to provide for prorating attorney's fees in such cases.

Referred to Committee on Calendar.

By Senator Evans: S. B. 322, a bill to prohibit the sale of wine or beer in Hertford County between the hours of eleven o'clock p.m. on Saturdays and six o'clock a.m. on Mondays.

Referred to Committee on Calendar.

By Senators Weathers, Daniel, Brock, Evans, Barber, Whitaker, Watkins, Mitchell, Lanier, Eagles, Pittman, Chaffin, Wallace, Watson, Farthing, Smith, Barker, Wade, Hodges, Wilson and Ruark: S. R. 323, a resolution to express appreciation of the Senate for the fine and able services of Senator H. P. Taylor, as Chairman of the Appropriations Committee.

Upon motion of Senator Weathers, the resolution is taken up for immediate consideration.

The resolution is unanimously adopted by a rising vote of the Senate.

By Senator Blythe: S. B. 324, a bill to amend Section 934 (a) of Volume 3 of the Consolidated Statutes, relating to the appointment of assistant clerks of the Superior Court by providing that two assistant clerks of the Superior Court may be named in Mecklenburg County.

Referred to Committee on Calendar.

By Senator Benton: S. B. 325, a bill to increase the appropriation for public libraries in North Carolina.

Referred to Committee on Calendar.

By Senator Wade: S. B. 326, a bill to give the board of commissioners of New Hanover County certain powers.

Referred to Committee on Calendar.

By Senator Blythe: S. B. 327, a bill to authorize the clerk of the Superior Court of Mecklenburg County to name two assistant clerks of the Superior Court of Mecklenburg County.

Upon motion of Senator Blythe, the rules are suspended and the bill is taken up for immediate consideration.

Passes its second and third readings and is ordered sent to the House of Representatives.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 266, a bill to amend Chapter 409 of the Public Laws of 1937,

as amended, relating to the establishment of maximum working hours so as to provide relief for persons, firms, or corporations engaged in the processing of dairy products in Caldwell County.

Passes its second, and third readings and is ordered sent to the House of Representatives.

S. B. 16, a bill to provide for a more uniform representation of the people of Halifax County on the board of county commissioners, for concurrence in the House amendment.

Upon motion of Senator Johnson of Halifax, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 302, a bill to provide for collection of delinquent taxes by the tax collector of Harnett County, to provide for his compensation, and to amend Chapter 42 of the Public Local Laws of 1924 insofar as it relates thereto.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 311, a bill relating to making of improvements in cemeteries located in Cabarrus County and which are operated for private gain or profit.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 436, a bill to provide a hog cholera prevention program for Pasquotank County and to permit the sale and use of hog cholera vaccine therefor.

Passes its second and third readings and is ordered enrolled.

H. B. 438, a bill to authorize the board of commissioners of Anson County to appoint rural policemen and fix their salaries, and to provide for the collection of delinquent taxes.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives, for concurrence in the Senate amendment.

H. B. 444, a bill to amend Chapter 279 of the Public Local Laws of 1913 to increase the pay of the county commissioners of Sampson County.

Passes its second and third readings and is ordered enrolled.

H. B. 457, a bill to place the register of deeds of Mitchell County on a fee basis and to prescribe said fees.

Passes its second and third readings and is ordered enrolled.

H. B. 458, a bill to repeal Chapter 442 of the Public Local Laws of 1941, relating to the auditing of funds of Mitchell County.

The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered returned to the House of Representatives, for concurrence in the Senate substitute.

H. B. 533, a bill to amend Chapter 699 of the Public Local Laws of 1927, relating to the removal of cases from the High Point Municipal Court to the Superior Court.

Passes its second and third readings and is ordered enrolled.

H. B. 558, a bill to amend Section 1681 of the Consolidated Statutes of North Carolina, and to exempt New Hanover County from certain of the provisions thereof.



Passes its second and third readings and is ordered enrolled.

H. B. 539, a bill to facilitate the disposition and sale of property acquired by Pasquotank County and the city of Elizabeth City at tax foreclosure sales.

Passes its second and third readings and is ordered enrolled.

H. B. 561, a bill to remove Rutherford County from the provisions of Section 1681 of Volume 1 of the Consolidated Statutes of 1919, as amended, relating to the payment of damages by dogs.

Passes its second and third readings and is ordered enrolled.

H. B. 616, a bill to amend Chapter 8 of the Public Local Laws of 1931, being "An Act providing for a peace officers' relief fund for the city of Salisbury and Rowan County."

Passes its second and third readings and is ordered enrolled.

S. B. 314, a bill protecting wild turkeys in Wake County.

The bill passes its second reading.

Upon objection of Senator Ballentine to its third reading, the bill remains upon the Calendar.

S. B. 319, a bill to authorize the Montgomery County Board of Education to settle a boundary dispute involving the boundaries to Troy public school property by executing a quitclaim deed.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 425, a bill to prohibit the killing of red foxes in Alleghany County.

Passes its second and third readings and is ordered enrolled.

H. B. 503, a bill to amend Chapter 159 of the Public Local Laws of 1935, providing a closed season for hunting foxes in Montgomery County.

Passes its second and third readings and is ordered enrolled.

H. B. 538, a bill to reduce the term of office of the county commissioners of Brunswick County from four to two years and to repeal Chapter 386 of the Public Local Laws of 1939.

Passes its second and third readings and is ordered enrolled.

H. B. 552, a bill validating a new index and cross index system for real estate records from 1746 through 1939 in the office of the register of deeds for Johnston County.

Passes its second and third readings and is ordered enrolled.

H. B. 551, a bill adopting a standard form of agricultural lien and chattel mortgage, chattel mortgage, and title note, and fixing the fees for recording same in Johnston County.

The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered returned to the House of Representatives, for concurrence in the Senate substitute.

H. B. 586, a bill to provide additional funds for maintenance of Buncombe County Law Library.

Passes its second and third readings and is ordered enrolled.

S. B. 11, a bill to make appropriations for the maintenance of the State's departments, bureaus, institutions, and agencies, and for other purposes.

The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives by special messenger.

S. B. 12, a bill to make supplemental appropriations for the State's departments, bureaus, institutions, and agencies, and for the specific purpose of providing a war bonus for public school teachers and other State employees.

The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives by special messenger.

H. B. 239, a bill to amend Section 16 of Chapter 407 of the Public Laws of 1937 to exempt farm tractors and other farm vehicles from licensing and registration under the Motor Vehicle Law.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives, for concurrence in the Senate amendment.

S. B. 303, a bill to amend Section 2135 (A) of the Consolidated Statutes of North Carolina, relating to game.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 220, a bill to appropriate funds for the equipment of the North Carolina State Guard.

Passes its second and third readings and is ordered enrolled.

S. R. 307, a joint resolution calling upon all law enforcement agencies of the State to strictly enforce State laws against vagrancy, to aid in the war effort.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 239, a bill to amend the School Machinery Act, the same being Chapter 358, Public Laws of 1939, as amended.

The amendments offered by the Committee are adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 316, a bill to authorize the Governor and Council of State to provide from the contingency and emergency fund for demands made on the Veterans Service Office occasioned by present war conditions.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 320, a bill to rearrange the Sections and Articles of Chapter 97 of the General Statutes for codification purposes.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 149, a bill to reimburse Paul Westmoreland of Forsyth County for damages to his automobile and person through collision with a school bus on April 15, 1942.

Passes its second and third readings and is ordered enrolled.

H. B. 262, a bill to authorize the State School Commission to provide reimbursement for a loss sustained resulting from a collision with a school bus in Pamlico County, if found to be due to the negligence of the bus driver.

Passes its second and third readings and is ordered enrolled.



H. B. 354, a bill to provide for the cancellation of terms of the Superior Court.

Passes its second and third readings and is ordered enrolled.

H. B. 414, a bill to amend Chapter 179 of the Public Laws of 1933 as amended by Chapter 54 of the Public Laws of 1935, as amended by Chapter 234 of the Public Laws of 1941, relative to the practice of cosmetic art in the State of North Carolina so as to bring the funds collected and the expenditure of such funds under the provisions of the State Budget Act and under the supervision of the Director of the Budget.

Passes its second and third readings and is ordered enrolled.

H. B. 416, a bill to authorize the allocation of funds from the contingency and emergency fund to the State Planning Board.

Passes its second and third readings and is ordered enrolled.

H. B. 429, a bill to prevent the spread of tuberculosis.

Passes its second and third readings and is ordered enrolled.

H. B. 299, a bill to amend Chapter 52 of the Public Laws of 1935 so as to authorize the licensing of persons fifteen years of age to operate motor vehicles.

Senator O'Berry offers an amendment which fails of adoption.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Larkins, the Senate adjourns to meet tomorrow morning at 10 o'clock, at which time only Public Local bills will be considered, and adjournment will be until Monday at 12 o'clock M.

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#### FORTY-SIXTH DAY

SENATE CHAMBER,  
Saturday, February 27, 1943.

The Senate meets pursuant to adjournment, and in the absence of the Lieutenant Governor R. L. Harris and President *pro tempore* J. Hampton Price, the Principal Clerk S. Ray Byerly calls Senator L. Y. Ballentine to the Chair who calls the Senate to order and presides during the Session.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Cherry for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Carlyle, Miss Mary Lou Ellwood, niece of Senator Bailey of Haywood County, is made an honorary page of the Senate.

Upon motion of Senator Cherry, Churchill Womble is made an honorary page of the Senate.

The President extends the courtesies of the floor to Representatives W. T. Hatch and Arch T. Allen of Wake County.

## ENGROSSED BILLS

Senator Poindexter, for the Committee on Engrossed Bills, reports the following bills as properly engrossed, and the same are ordered sent to the House of Representatives:

S. B. 161, a bill to extend the period during which counties, cities, towns, and sanitary districts may issue revenue bonds for the acquisition, construction, reconstruction, improvement, betterment, and extension of revenue-producing undertakings as authorized by Chapter 2 of the Public Laws of the State of North Carolina, Extra Session of 1938.

S. B. 239, a bill to amend the School Machinery Act, the same being Chapter 358, Public Laws of 1939, as amended.

S. B. 285, a bill to authorize Iredell County to establish and maintain a county law library.

S. B. 254, a bill to declare the necessity of creating public bodies corporate and politic to be known as hospital authorities to engage in hospital construction, maintenance and operation and/or projects to provide hospital accommodations; to provide for the creation of such hospital authorities; to define the powers and duties of hospital authorities and to provide for the exercise of such powers, including acquiring property by purchase, gift or eminent domain, and including borrowing money, issuing revenue and credit bonds and other obligations, and giving security therefor; to confer remedies on obligees of hospital authorities; to provide that hospital authorities, and certain property and securities thereof shall be tax exempt.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Carlyle, for the Committee on Calendar:

S. B. 60, a bill for the relief of William Hardy Davenport, former employee of the State Highway Commission, with an unfavorable report.

S. B. 298, a bill to amend the charter of the town of Carolina Beach, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

S. B. 305, a bill to authorize the Governor, with the approval of the Council of State, to allocate funds for the purpose of completing the establishment of the vocational textile school at Belmont in order that same may be placed in operation as soon as possible, with a favorable report.

H. B. 106, a bill to provide for compensation for the injury of Thelma Farthing, a school child of Watauga County, received while busses were loading after school, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

H. B. 406, a bill to clarify sundry sections of the law relating to the prison department of the State Highway and Public Works Commission as set forth in Chapter 148 of the general statutes, with a favorable report.



H. B. 407, a bill to clarify sundry sections of the law relating to the State Highway and Public Works Commission as set forth in Chapter 136 of the general statutes, with a favorable report.

H. B. 521, a bill to amend Chapter 321 of the Public Laws of 1941, relating to terms of Superior Courts in the Sixth Judicial District; to provide for a civil and criminal term in Onslow County in May of each year, with a favorable report.

H. B. 529, a bill to provide for additional clerk hire in the offices of clerk of Superior Court and register of deeds of Davie County, with a favorable report.

H. B. 559, a bill to amend the charter of the town of Wrightsville Beach, with a favorable report.

H. B. 590, a bill creating the office of tax collector for Hertford County and repealing Chapter 259 of the Public Local Laws of 1933, with a favorable report.

H. B. 598, a bill to amend Chapter 302 of the Private Laws of 1913, to provide that the town clerk of the town of Oxford shall be the clerk to the mayor's court, and to provide a turnkey fee, with a favorable report.

H. B. 601, a bill to amend Chapter 37, Private Laws 1923, entitled "An Act to incorporate the city of Greensboro, to define its corporate limits, and to provide for its government; to repeal the present charter of the city of Greensboro except as provided herein; to provide for the control and support of the present Greensboro School District, and for other purposes, as amended," with a favorable report.

H. B. 606, a bill to repeal Chapter 278 of the Private Laws of 1907 incorporating "the town of Royall Cotton Mills," with a favorable report.

H. B. 608, a bill to prohibit the manufacture, purchase, sale, dealing in, transportation, possession, advertisement and use of pyrotechnics in Harnett County, with a favorable report.

H. B. 640, a bill to authorize the board of commissioners of Henderson County to operate the county jail, and to regulate the salaries of certain officials, with a favorable report.

H. B. 641, a bill to amend and extend the provisions of Chapter 494, Public Local Laws of 1939, relating to the collection of delinquent taxes in Henderson County, with a favorable report.

H. B. 642, a bill to appoint a member of the board of water commissioners of the city of Hendersonville, with a favorable report.

H. R. 688, a joint resolution continuing the Commission appointed by the Governor of the State of North Carolina as provided in Joint Resolution 21 of the General Assembly of 1941, ratified March 10, 1941, for the purpose of continuing its investigation and study and recommending to the General Assembly of 1945 a redistricting of the judicial and solicitorial districts of the State and arranging a schedule of court to conform to such redistricting, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Clark: S. B. 328, a bill to amend Chapter 366 of the Public Local Laws of 1941, relating to the recorder's court of Edgecombe County, so as to increase the salaries of the recorder and prosecutor.

Referred to Committee on Calendar.

By Senator Sanders: S. B. 329, a bill to authorize and empower governing boards of counties, cities and towns to remit and refund taxes illegally collected and paid into the treasury of such municipality.

Referred to Committee on Calendar.

By Senator Ruark: S. B. 330, a bill to provide for rural police in Brunswick County in discretion of county commissioners.

Upon motion of Senator Ruark, the rules are suspended and the bill is taken up for immediate consideration.

Passes its second and third readings and is ordered sent to the House of Representatives.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

S. B. 148, a bill to provide for a special election to determine the levy of a special annual tax in Alexander County for the establishment, maintenance and support of public libraries, for concurrence in the House amendment.

The bill is placed upon the Calendar.

H. B. 346, a bill to amend Chapter 1 of the Public Laws of the Extra Session of 1936, as amended, known as the Unemployment Compensation Law.

Referred to Committee on Calendar.

H. B. 417, a bill to amend the charter of the city of New Bern.

Referred to Committee on Calendar.

H. B. 62, a bill to fix the salary of the Commissioner of Agriculture and the salary of the Commissioner of Labor.

Referred to Committee on Calendar.

H. B. 217, a bill providing for the establishment of an institution for the care of delinquent Negro girls in North Carolina.

Referred to Committee on Calendar.

H. B. 233, a bill to reimburse William W. Hensley of Rutherford County for damages to his automobile through collision with a school bus in October, 1942.

Referred to Committee on Calendar.

H. B. 116, a bill to amend Chapter 456 of the Public Laws of 1935, as amended, known as "the Housing Authorities Law," relating to the creation of housing authorities to engage in slum clearance and projects to provide dwelling accommodations for persons of low income (including farmers of low income) and to define their powers.

Referred to Committee on Calendar.



H. B. 234, a bill to reimburse Mrs. Worth Johnson, the former Miss Verna Ree Allen, for injuries sustained in a collision with a school bus on July 29, 1941.

Referred to Committee on Calendar.

H. B. 246, a bill to prohibit detective agencies from collecting accounts.

Referred to Committee on Calendar.

H. B. 244, a bill to establish a system of continuous statute research and correction in the division of legislative drafting and codification of statutes.

Referred to Committee on Calendar.

H. B. 251, a bill to reimburse W. Stanley Kearney, Route 1, Wake Forest, North Carolina, on account of the death of Richard Earl Kearney, a school child, who was struck and killed by a school bus on April 14, 1941.

Referred to Committee on Calendar.

H. B. 324, a bill to amend Chapter 288 of the Public Laws of 1937 as amended by Chapter 395 of the Public Laws of 1939 and Chapter 232 of the Public Laws of 1941 for the purpose of correcting certain errors therein relating to old age assistance and aid to dependent children.

Referred to Committee on Calendar.

H. B. 292, a bill to amend Section 2787 of the Consolidated Statutes, as amended, Chapter 52 of the Public Laws of 1935, and Chapter 407 of the Public Laws of 1937, to grant to cities and towns the power to regulate and control drivers and operators of taxicabs and to tax vehicles used as taxicabs.

Referred to Committee on Calendar.

H. B. 510, a bill to authorize a loan to the Atlantic and North Carolina Railroad Company if found necessary by the Governor and Council of State for part payment of the cost of the rehabilitation of the roadbed, track and structures and other properties of said railroad, and to authorize the issuance of State bonds to provide for the cost thereof.

Referred to Committee on Calendar.

H. B. 509, a bill to authorize the issuance of bonds or notes of the State, when approved by the Governor and Council of State, for refunding or taking up the first mortgage bonds and certain indebtedness of the Atlantic and North Carolina Railroad.

Referred to Committee on Calendar.

H. B. 422, a bill to amend the Uniform Partnership Act so as to provide expressly that the death of a partner does not cause a dissolution of the partnership in those cases where the partnership agreement provides otherwise.

Referred to Committee on Calendar.

H. B. 423, a bill to amend Consolidated Statutes, Section 6331, pertaining to power of insurance companies to purchase, hold, and convey real estate.

Referred to Committee on Calendar.

H. B. 461, a bill to amend Chapter 141 of the Public Laws of 1925,

as amended, requiring separate specifications for certain contract work so as to include electrical installations.

Referred to Committee on Calendar.

H. B. 442, a bill to amend Chapter 441, Public Laws of 1931, relating to special levies in certain counties.

Referred to Committee on Calendar.

H. B. 453, a bill to validate certain bonds heretofore issued by Franklinton Township and by Louisburg Township in Franklin County and to authorize the issuance of refunding bonds.

Referred to Committee on Calendar.

H. B. 547, a bill to amend Chapter 422 of the Public Laws of 1935, relative to the rental system for textbooks used in the public schools of the State.

Referred to Committee on Calendar.

H. B. 471, a bill to amend Section 76 of the Consolidated Statutes, relating to conveyances of real estate by the heirs or devisees of a decedent.

Referred to Committee on Calendar.

H. B. 475, a bill to amend Section 3930 of the Consolidated Statutes to relieve the sheriffs of the counties of the State from the responsibility of filing bonds conditioned on the collection and settlement of State taxes.

Referred to Committee on Calendar.

H. B. 476, a bill for relief of persons called into the armed forces of the United States and into the Merchant Marine from liability to pay license taxes and fees.

Referred to Committee on Calendar.

H. B. 486, a bill to amend Chapter 407 of the Public Laws of 1937, as amended, the same being the Motor Vehicle Act of 1937, relating to the extent of property damage in motor vehicle accidents required to be reported.

Referred to Committee on Calendar.

H. B. 488, a bill to amend Chapter 397 of the Public Laws of 1937 to provide for certification of school bus drivers by representatives designated by the Commissioner of Motor Vehicles.

Referred to Committee on Calendar.

H. B. 508, a bill to authorize the State Department of Agriculture to reimburse Jerry and Mildred Lee for medical and other expenses incurred in automobile collision with cattle belonging to said Department.

Referred to Committee on Calendar.

H. B. 501, a bill to amend the charter to extend the corporate limits of the city of New Bern.

Referred to Committee on Calendar.

H. R. 511, a joint resolution empowering the Governor to appoint a special commission for the purpose of studying the possibilities of the perpetual preservation of the birthplace and homestead of Governor Zebulon Baird Vance.

Referred to Committee on Calendar.



H. B. 513, a bill to amend Chapter 110 of the Consolidated Statutes of 1919, as amended, relating to the granting of injunctions against the illegal practice of optometry.

Referred to Committee on Calendar.

H. B. 517, a bill to provide that the Secretary of State shall cause to be published and distributed a volume containing an index to the laws relating to the various counties of the State and the cities and towns therein.

Referred to Committee on Calendar.

H. B. 524, a bill to appoint certain members of the boards of education of the respective counties of North Carolina, fix their terms of office, and limit compensation at State expense.

Referred to Committee on Calendar.

H. B. 542, a bill to authorize the Governor and Secretary of State to execute a deed reconveying real estate erroneously conveyed to Stonewall Jackson Manual Training and Industrial School by J. T. Kennedy.

Referred to Committee on Calendar.

H. B. 563, a bill to pay the hospital and medical expense for Sarah Lee Stanley, a minor child, for injuries caused by school bus.

Referred to Committee on Calendar.

H. B. 567, a bill to permit and authorize the merger of building and loan associations.

Referred to Committee on Calendar.

H. B. 555, a bill to amend Sections 1661 and 1659 of the Consolidated Statutes, and Chapter 100 of the Public Laws of 1937 (1659a), to change the residence requirement for divorce from one year to six months.

Referred to Committee on Calendar.

H. B. 478, a bill to correct the calls of State Grant No. 18852, for land in Dare County, issued to Alethia M. Midgett.

Referred to Committee on Calendar.

H. B. 483, a bill to reimburse Ira G. Shamel of Forsyth County for damages to his automobile through collision with a negro school bus in January, 1942.

Referred to Committee on Calendar.

H. B. 575, a bill to authorize the State Highway and Public Works Commission to furnish prison labor for farm work in certain emergencies.

Referred to Committee on Calendar.

H. B. 576, a bill to authorize the Commissioner of Revenue to remit a certain part of the franchise taxes of the Atlantic and North Carolina Railroad Company.

Referred to Committee on Calendar.

H. B. 596, a bill to reimburse I. T. Sharpe of Forsyth County for damages to his automobile through collision with a school bus on May 7, 1942.

Referred to Committee on Calendar.

H. B. 603, a bill to amend the statute prescribing the order in which persons are entitled to letters of administration in cases of intestacy.

Referred to Committee on Calendar.

H. B. 607, a bill to amend Section 1 of Chapter 382 of the Public Laws of 1941, relating to the appointment of a commission to study and determine the advisability and feasibility of establishing a nautical school in the State of North Carolina, to extend the operation of the Act until July 1, 1944.

Referred to Committee on Calendar.

H. B. 610, a bill to incorporate the town of Harrells Store in Sampson County.

Referred to Committee on Calendar.

Upon motion of Senator Graham, the Senate adjourns to meet Monday at 12 o'clock M.

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### FORTY-SEVENTH DAY

SENATE CHAMBER,  
Monday, March 1, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Chaffin for the Committee on Journal announces that he has examined the Journal of Saturday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Clark, the courtesies of the lobby are extended to Mrs. Irving E. Carlyle, wife of Senator Carlyle of Forsyth County.

Upon motion of Senator Clark, Misses Mary Irving and Elizabeth Carlyle, daughters of Senator Carlyle of Forsyth County, are made honorary pages of the Senate.

Upon motion of Senator Farthing, the courtesies of the lobby are extended to Wade Brown of Watauga County.

The President extends the courtesies of the floor to former Representative Rupert T. Pickens of Guilford County.

The President extends the courtesies of the floor to Honorable John Kerr, Jr., Speaker of the House of Representatives.

Upon motion of Senator Ballentine, the courtesies of the galleries are extended to the students of the Sociology Class of Hugh Morson High School, and their teacher, Mrs. Mary Powell Brantley.

Upon motion of Senator McKee, S. B. 121, a bill to amend Section 6597 of the Consolidated Statutes of North Carolina by rewriting said Section so as to change the manner of establishing the Library Commission of North Carolina, is taken from the Committee on Library and re-referred to the Committee on Calendar.

### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:



H. R. 544, a joint resolution indorsing the Pharmacy Corps Bill, H. R. 997, S. R. 216, to create a Pharmacy Corps in the United States Army, now pending in the Congress of the United States.

S. B. 16, an act to provide for a more uniform representation of the people of Halifax County on the board of county commissioners.

S. B. 119, an act to regulate the pay and prescribe the duties of the sheriff and the deputy sheriffs of Guilford County.

S. B. 120, an act to amend Section 16, Subsection (b) of Chapter 1, Public Laws of 1936, Extra Session, known as the Unemployment Compensation Law.

S. B. 137, an act to authorize the issuance of notes of the State for the purpose of paying appropriations.

S. B. 138, an act to provide for exchanges of bonds of the State which are held in the sinking funds under the control of the State Sinking Fund Commission, and for the cancellation of certain highway bonds held in the sinking funds for such bonds.

S. B. 139, an act to authorize the issuance of highway bonds of the State.

S. B. 143, an act to fix the salaries for public officials and employees in Durham County.

S. B. 146, an act to authorize any police officer of the rank of sergeant, or of higher rank, who is assigned to day or night duty as the desk officer in the city of Statesville, to issue warrants.

S. B. 147, an act to extend the time within which bonds of counties and municipalities heretofore authorized may be issued.

S. B. 164, an act relating to the compensation of the members of certain county boards in Moore County.

S. B. 169, an act to amend Chapter 34 of the Public Laws of 1931, relating to the appointment of a county accountant for Brunswick County.

S. B. 174, an act to fix the membership of the board of education of Graham County.

S. B. 179, an act to amend Chapter 74, Private Laws of North Carolina, Extra Session 1913, relating to the incorporation of the town of Norman, Richmond County.

S. B. 184, an act relating to the compensation of the clerk of the Superior Court and the register of deeds of Moore County.

S. B. 185, an act to regulate the salaries of all employees of Rutherford County except the elective officials.

S. B. 209, an act to amend Chapter 10, Public Local Laws of North Carolina, Session of 1933, entitled "An Act to authorize the board of commissioners of Robeson County to fix, raise, lower or adjust salaries of county officials and subordinates in accordance with changing economic conditions and for efficiency.

S. B. 212, an act to amend Chapter 264 of the Public Local Laws of North Carolina for 1921, relating to the fixing of the compensation of certain officers in Gaston County and other matters.

S. B. 216, an act to enable the commissioners of Alamance County to pay a war bonus to its employees.

S. B. 224, an act to incorporate the Richmond County Country Club Commission.

H. B. 63, an act to authorize county commissioners to provide compensation for members of rationing boards while in the actual performance of their duties.

H. B. 139, an act relating to the election and duties of the tax supervisor and collector for Avery County by amending Chapter 409 of the Public Local Laws of 1935.

H. B. 149, an act to reimburse Paul Westmoreland of Forsyth County for damages to his automobile and person through collision with a school bus on April 15, 1942.

H. B. 180, an act to regulate the closing hours of places selling beer and/or wine in North Carolina.

H. B. 199, an act to increase the compensation of members of the county board of elections to five dollars per day in order to place all members on an equal basis with the chairman of said board of elections while engaged in the discharge of their duties.

H. B. 216, an act to increase the compensation of judges of elections in Currituck County for their services on the day of a primary or election from the sum of four dollars to the sum of five dollars in order to place the compensation of said judges of election on the same basis as registrars.

H. B. 220, an act to appropriate funds for the equipment of the North Carolina State Guard.

H. B. 260, an act to amend Section 2329 of the Consolidated Statutes, as amended, to include among those exempted from jury duty, radio broadcast technicians and announcers.

H. B. 262, an act to authorize the State School Commission to provide reimbursement for a loss sustained resulting from a collision with a school bus in Pamlico County, if found to be due to the negligence of the bus driver.

H. B. 263, an act to repeal Chapter 183, Public Local Laws of 1941 and to reenact Chapter 460, Public Local Laws of 1933, to provide for the nomination and election of county commissioners of Pasquotank County by the qualified voters of the entire county.

H. B. 299, an act to amend Chapter 52 of the Public Laws of 1935 so as to authorize the licensing of persons fifteen years of age to operate motor vehicles.

H. B. 335, an act to amend Section 4384 of the Consolidated Statutes of North Carolina, relating to officers wilfully failing to discharge their duties, so as to make said Section applicable to recorders and prosecuting attorneys of recorder's courts.

H. B. 354, an act to provide for the cancellation of terms of the Superior Court.

H. B. 377, an act to repeal Chapter 190 of the Public Laws of 1931 and exempting Macon County from State-wide Primary Law.

H. B. 394, an act to amend Section 1567 of the Consolidated Statutes to provide that the recorder's court of Franklin County shall not assume jurisdiction of criminal cases within the original jurisdiction



of justices of the peace until the expiration of six months after the commission of such crimes.

H. B. 399, an act to amend Chapter 651 of the Public Laws of 1909, as amended, the same being entitled "An Act to establish a municipal court for the city of Greensboro and prescribe the jurisdiction thereof."

H. B. 402, an act to amend Chapter 761 of the Public Local Laws of 1913, as amended, so as to provide for the removal of judges and solicitors and filling vacancies in the several recorders' courts of Robeson County.

H. B. 403, an act to provide for the removal of causes from one recorder's court to another in Robeson County and for the appointment of assistant recorders and assistant solicitors of said courts.

H. B. 414, an act to amend Chapter 179 of the Public Laws of 1933 as amended by Chapter 54 of the Public Laws of 1935, as amended by Chapter 234 of the Public Laws of 1941, relative to the practice of cosmetic art in the State of North Carolina so as to bring the funds collected and the expenditure of such funds under the provisions of the State Budget Act and under the supervision of the Director of the Budget.

H. B. 416, an act to authorize the allocation of funds from the contingency and emergency fund to the State Planning Board.

H. B. 425, an act to prohibit the killing of red foxes in Alleghany County.

H. B. 429, an act to prevent the spread of tuberculosis.

H. B. 436, an act to provide a hog cholera prevention program for Pasquotank County and to permit the sale and use of hog cholera vaccine therefor.

H. B. 439, an act to authorize the board of commissioners of Anson County to adjust all delinquent taxes for the year 1935 and all prior years.

H. B. 443, an act to amend Chapter 453 of the Public Local Laws of 1931 to allow mileage to the chairman of the board of commissioners of Sampson County.

H. B. 444, an act to amend Chapter 279 of the Public Local Laws of 1913 to increase the pay of the county commissioners of Sampson County.

H. B. 445, an act to amend Chapter 290, Public Local Laws of 1935, relating to clerk hire for register of deeds of Sampson County.

H. B. 447, an act authorizing the board of commissioners of Northampton County to levy special taxes for the expenses of Northampton County library.

H. B. 457, an act to place the register of deeds of Mitchell County on a fee basis and to prescribe said fees.

H. B. 503, an act to amend Chapter 159 of the Public Local Laws of 1935, providing a closed season for hunting foxes in Montgomery County.

H. B. 431, an act to provide for a maximum tax rate of 60 cents on the \$100 in the town of Kelford and to validate tax rates heretofore levied.

H. B. 533, an act to amend Chapter 699 of the Public Local Laws of 1927, relating to the removal of cases from the High Point Municipal Court to the Superior Court.

H. B. 538, an act to reduce the term of office of the county commissioners of Brunswick County from four to two years and to repeal Chapter 386 of the Public Local Laws of 1939.

H. B. 539, an act to facilitate the disposition and sale of property acquired by Pasquotank County and the city of Elizabeth City at tax foreclosure sales.

H. B. 552, an act validating a new index and cross index system for real estate records from 1746 through 1939 in the office of the register of deeds for Johnston County.

H. B. 558, an act to amend Section 1681 of the Consolidated Statutes of North Carolina, and to exempt New Hanover County from certain of the provisions thereof.

H. B. 561, an act to remove Rutherford County from the provisions of Section 1681 of Volume 1 of the Consolidated Statutes of 1919, as amended, relating to the payment of damages by dogs.

H. B. 571, an act to prohibit the operation of music vending machines in public places and public dance halls in Caldwell County during certain hours.

H. B. 586, an act to provide additional funds for maintenance of Buncombe County Law Library.

H. B. 616, an act to amend Chapter 8 of the Public Local Laws of 1931, being "An Act providing for a peace officers' relief fund for the city of Salisbury and Rowan County."

H. B. 649, an act to fix certain terms of court in Camden County.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Carlyle, for the Committee on Calendar:

S. B. 304, a bill requiring citation of previous deed on all deeds of conveyance filed for registration in Buncombe County, with an unfavorable report.

S. B. 318, a bill to amend Chapter 100 of the Public Laws of 1927, as amended, relating to sanitary districts so as to provide for the dissolution thereof, with a favorable report.

S. B. 321, a bill to amend the North Carolina Workmen's Compensation Act, Chapter 120, Public Laws of 1929, as amended by Chapter 449, Public Laws of 1933, so as to give the employer the exclusive right of action against the third party within six months and to provide for prorating attorney's fees in such cases, with a favorable report.

S. B. 322, a bill to prohibit the sale of wine or beer in Hertford County between the hours of eleven o'clock p.m. on Saturdays and six o'clock a.m. on Mondays, with a favorable report.

S. B. 324, a bill to amend Section 934 (a) of Volume 3 of the Consolidated Statutes relating to the appointment of assistant clerks of



the Superior Court by providing that two assistant clerks of the Superior Court may be named in Mecklenburg County, with a favorable report.

S. B. 326, a bill to give the board of commissioners of New Hanover County certain powers, with an unfavorable report.

S. B. 329, a bill to authorize and empower governing boards of counties, cities and towns to remit and refund taxes illegally collected and paid into the treasury of such municipality, with a favorable report.

S. B. 328, a bill to amend Chapter 366 of the Public Local Laws of 1941, relating to the recorder's court of Edgecombe County, so as to increase the salaries of the recorder and prosecutor, with a favorable report.

H. B. 217, a bill providing for the establishment of an institution for the care of delinquent Negro girls in North Carolina, with a favorable report.

H. B. 244, a bill to establish a system of continuous statute research and correction in the division of legislative drafting and codification of statutes, with a favorable report.

H. B. 246, a bill to prohibit detective agencies from collecting accounts, with a favorable report.

H. B. 422, a bill to amend the Uniform Partnership Act so as to provide expressly that the death of a partner does not cause a dissolution of the partnership in those cases where the partnership agreement provides otherwise, with a favorable report.

H. B. 423, a bill to amend Consolidated Statutes, Section 6331, pertaining to power of insurance companies to purchase, hold, and convey real estate, with a favorable report.

H. B. 461, a bill to amend Chapter 141 of the Public Laws of 1925, as amended, requiring separate specifications for certain contract work so as to include electrical installations, with a favorable report.

H. B. 471, a bill to amend Section 76 of the Consolidated Statutes, relating to conveyances of real estate by the heirs or devisees of a decedent, with a favorable report.

H. B. 478, a bill to correct the calls of State Grant No. 18852, for land in Dare County, issued to Alethia M. Midgett, with a favorable report, as amended.

H. B. 483, a bill to reimburse Ira G. Shamel of Forsyth County for damages to his automobile through collision with a negro school bus in January, 1942, with a favorable report.

H. B. 509, a bill to authorize the issuance of bonds or notes of the State, when approved by the Governor and Council of State, for refunding or taking up the first mortgage bonds and certain indebtedness of the Atlantic and North Carolina Railroad, with a favorable report.

H. B. 510, a bill to authorize a loan to the Atlantic and North Carolina Railroad Company if found necessary by the Governor and Council of State for part payment of the cost of rehabilitation of the roadbed, track and structures and other properties of said railroad, and to

authorize the issuance of State bonds to provide for the cost thereof, with a favorable report.

H. B. 537, a bill to reduce the term of office of the judge of recorder's court of Brunswick County from four to two years, to fix the salary of the said judge and to repeal Chapter 327 of the Public Local Laws of 1939, with a favorable report.

H. B. 547, a bill to amend Chapter 422 of the Public Laws of 1935, relative to the rental system for textbooks used in the public schools of the State, with a favorable report.

H. B. 563, a bill to pay the hospital and medical expense for Sarah Lee Stanley, a minor child, for injuries caused by school bus, with a favorable report, as amended.

H. B. 610, a bill to incorporate the town of Harrells Store in Sampson County, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator McKee: S. B. 331, a bill to authorize the commissioners of Jackson County to levy a special hospital tax.

Upon motion of Senator McKee, the bill is placed upon the Calendar.

By Senator Taylor: S. B. 332, a bill to authorize the allocation of funds from the contingency and emergency fund to defray administrative expenses provided for in conjunction with the creation of unified boards of directors for certain State hospitals and correctional institutions.

Referred to Committee on Calendar.

By Senators Taylor, O'Berry and Farthing: S. B. 333, a bill to prohibit the manufacture or sale of anti-freeze solutions compounded with inorganic salts or petroleum distillates.

Referred to Committee on Calendar.

By Senator Chaffin: S. B. 334, a bill to amend Chapter 352 of the Public Local Laws of 1933, relating to compensation of the board of commissioners of Harnett County.

Referred to Committee on Calendar.

By Senator Barker: S. B. 335, a bill to repeal Chapter 47 of the Public Local Laws of 1939 as it relates to hunting and fishing in "The Big Swamp" in Robeson County.

Referred to Committee on Calendar.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 254, a bill to amend Section 1197 of the Consolidated Statutes of 1919, as amended by Chapter 223 of the Public Laws of 1937, relating to liens for labor and services, to provide for registered mortgages and deeds of trust.

Referred to Committee on Calendar.



H. B. 397, a bill to amend Section 6300 of the Consolidated Statutes of 1919, Volume II, as amended, relating to the power of the Insurance Commissioner to revoke the license of an insurance agent.

Referred to Committee on Calendar.

H. B. 515, a bill to prohibit the establishment of secret organizations in the public schools of the State.

Referred to Committee on Calendar.

H. B. 371, a bill to prevent drunkenness in Currituck County.

Referred to Committee on Calendar.

H. B. 312, a bill to prohibit the sale of cattle, swine or veal by public auction except by weight determined at the time of sale, in Mecklenburg County.

Referred to Committee on Calendar.

H. B. 480, a bill to allow the payment of a salary to the jailer of Northampton County in lieu of fees.

Referred to Committee on Calendar.

H. B. 498, a bill to extend the term of office of the treasurer of Gaston County, and to provide for a four-year term for said treasurer.

Referred to Committee on Calendar.

H. B. 506, a bill to regulate the fees for appraisers of homestead and personal property exemptions in Durham County.

Referred to Committee on Calendar.

H. B. 520, a bill to amend Chapter 348 of the Public Local Laws of 1925, relating to the office of treasurer of Person County so as to provide for the election of a treasurer for Person County for a term of four years rather than for a term of two years.

Referred to Committee on Calendar.

H. B. 527, a bill to amend Chapter 382 of the Private Laws of 1911 of North Carolina, relating to compensation of members of board of aldermen of the town of Spencer in Rowan County.

Referred to Committee on Calendar.

H. B. 535, a bill to fix the salaries of the sheriff, the clerk of court and the register of deeds of Anson County.

Referred to Committee on Calendar.

H. B. 540, a bill to regulate the expenditure of law enforcement funds by the Pasquotank County Alcoholic Beverages Control Board.

Referred to Committee on Calendar.

H. B. 541, a bill to amend Section 1 of Chapter 48 of the Public Local Laws of 1931, to place the register of deeds on a salary basis.

Referred to Committee on Calendar.

H. B. 560, a bill to amend Chapter 289 of the Public Local Laws of 1941, regulating the sheriff's department of Rutherford County, to provide for payment of salaries and expenses of deputy sheriffs.

Referred to Committee on Calendar.

H. B. 564, a bill to amend Chapter 322 of the Public Local Laws of 1919, relating to salaries in certain county offices, to provide discretionary power in the board of county commissioners to regulate the salaries of the deputy clerk of the Superior Court and the deputy register of deeds of Iredell County.

Referred to Committee on Calendar.

H. B. 568, a bill to reimburse Roy Hole of Stokes County for damages to his pick-up truck through collision with a school bus in December, 1941.

Referred to Committee on Calendar.

H. B. 658, a bill to authorize and empower the judge of the recorder's court to appoint an assistant judge of the recorder's court of said county.

Referred to Committee on Calendar.

H. B. 659, a bill to require the board of education of Currituck County to convey certain property located in the village of Shawboro to a board of trustees for public purposes.

Referred to Committee on Calendar.

H. B. 569, a bill to make stock laws and laws concerning depredations of domestic fowls applicable to Nash County.

Referred to Committee on Calendar.

H. B. 570, a bill relating to the fees of the clerk of the Superior Court of Avery County.

Referred to Committee on Calendar.

H. B. 591, a bill to adjust the compensation of certain legislative employees.

Referred to Committee on Calendar.

H. B. 626, a bill relating to officers' fees in connection with the State Liquor Laws in Montgomery County.

Referred to Committee on Calendar.

H. B. 627, a bill to provide for the distribution of profits from alcoholic beverage control stores in Washington County.

Referred to Committee on Calendar.

H. B. 593, a bill to provide for the compensation of the clerk of the recorder's court of Hamlet District, Richmond County.

Referred to Committee on Calendar.

H. B. 594, a bill to fix the salary of the assistant clerk of the Superior Court of Haywood County.

Referred to Committee on Calendar.

H. B. 595, a bill fixing the terms of office of the chairman and members of the board of county commissioners, the register of deeds, the tax collector and the county surveyor, and to extend the terms of office of the present incumbents in said offices.

Referred to Committee on Calendar.

H. B. 597, a bill to authorize the board of county commissioners of Pasquotank County to make additional appropriations after the adoption of the budget in any fiscal year.

Referred to Committee on Calendar.

H. B. 599, a bill to fix certain fees of the register of deeds of Swain County.

Referred to Committee on Calendar.

H. B. 602, a bill to permit the county of Guilford to accept deeds for real estate in payment of taxes due thereon in lieu of foreclosure of the tax lien and to sell such property.

Referred to Committee on Calendar.



H. B. 615, a bill to amend Chapter 158, Private Laws, Session 1933, so as to extend the time for the payment of special assessments for local improvements in the town of Morehead City.

Referred to Committee on Calendar.

H. B. 623, a bill to amend Chapter 307, Public Local Laws of North Carolina, Session of 1941, to enable the Charlotte Firemen's Retirement Fund Association to be liquidated in favor of the North Carolina Local Governmental Employees Retirement System.

Referred to Committee on Calendar.

H. B. 628, a bill to amend Section 2366 of the Consolidated Statutes, as amended, relative to the forfeiture of right of possession of land by tenant or cropper, by making same applicable to Davidson County.

Referred to Committee on Calendar.

H. B. 629, a bill to authorize the county commissioners of Polk County to turn into the general fund all taxes collected for the year 1937, and all prior years.

Referred to Committee on Calendar.

H. B. 634, a bill to amend the charter of the town of Belhaven and to provide the method of electing the members of the board of aldermen.

Referred to Committee on Calendar.

H. B. 636, a bill to place an additional penalty upon delinquent personal property taxes in Johnston County to defray expense of collection of said taxes and to pay for publishing list in newspaper.

Referred to Committee on Calendar.

H. B. 639, a bill to amend Chapter 383 of the Public Laws of 1939, amendatory of Section 65 (a) of the Consolidated Statutes, relating to the payment of money into the office of the clerk of the Superior Court so as to make said Section applicable to Lenoir County.

Referred to Committee on Calendar.

H. B. 646, a bill to amend Chapter 75 of the Public Laws of 1933, regulating fees in Harnett County, to increase the sheriff's fee for an arrest.

Referred to Committee on Calendar.

H. B. 650, a bill to amend Chapter 37 of the Private Laws of 1905, relative to tenure of office of the mayor and members of the board of aldermen of the town of Spencer.

Referred to Committee on Calendar.

H. B. 664, a bill to authorize the tax collector of Martin County to accept pre-payments of county taxes and the delivery of tax books to such collector prior to his annual settlement.

Referred to Committee on Calendar.

H. B. 678, a bill relating to the re-indexing of records of real estate conveyances and judgments in Northampton County and to prescribe periods for the commencement of actions on account of negligence, inaccuracies, errors or omissions in the supervision or preparation of the new indexes.

Referred to Committee on Calendar.

H. B. 679, a bill regulating the salaries of certain officers of Wake County.

Referred to Committee on Calendar.

H. B. 682, a bill to amend Chapter 258 of the Public Local Laws of 1941, relative to the conveyance of the Powells Point school property by the board of education of Currituck County for use as a community center.

Referred to Committee on Calendar.

H. B. 685, a bill relative to the tenure of office of the mayor and members of the board of aldermen of the town of Rockwell, fixing dates for primary election, time and procedure for filing notice of intention of becoming a candidate and time of registration period.

Referred to Committee on Calendar.

H. B. 689, a bill to extend the term of office of the present tax collector of Polk County to the first Monday in December, 1946, and to provide for the election of a tax collector-treasurer of said county at the general election to be held in 1946, and quadrennially thereafter.

Referred to Committee on Calendar.

H. B. 691, a bill validating all acts of the governing body of the city of Charlotte and the hospital board of the "Charlotte Memorial Hospital" consisting of 19 members under an ordinance adopted by the governing body of the city of Charlotte on the 17th day of April, 1940, and under the amendments thereto.

Referred to Committee on Calendar.

H. B. 694, a bill to provide clerical assistance in the office of the sheriff, tax collector and treasurer of Alleghany County.

Referred to Committee on Calendar.

H. B. 695, a bill to authorize the conveyance of real property, the title to which is vested in the city of Greensboro, but which is held as an investment in the sinking fund of the city.

Referred to Committee on Calendar.

H. B. 696, a bill to authorize Carteret County, North Carolina, to acquire lands for an airport, or landing field, in connection with civilian defense, and general uses.

Referred to Committee on Calendar.

H. B. 697, a bill to extend the term of office of the register of deeds and the tax collector of Mitchell County to four years.

Referred to Committee on Calendar.

H. B. 701, a bill relating to penalties and interest of delinquent taxes.

Referred to Committee on Calendar.

H. B. 703, a bill relating to the transfer of unexpended balances to the credit of any tax fund, at the expiration of the fiscal year, in Transylvania County.

Referred to Committee on Calendar.

H. B. 706, a bill to authorize the board of county commissioners of Durham County to appoint an assistant treasurer and employ a clerk or stenographer, and assign the same to the office of the treasurer.

Referred to Committee on Calendar.

H. B. 712, a bill to amend Chapter 141 of the Public Local Laws of 1925, as amended, relating to the office of purchasing agent, tax supervisor and bookkeeper for Surry County.



Referred to Committee on Calendar.

H. B. 713, a bill to amend Chapter 423 of the Public Local Laws of 1935, relating to the creation of the office of tax collector for Surry County and to provide for the appointment of tax collectors in Surry County and for the creation of tax collection districts.

Referred to Committee on Calendar.

H. B. 719, a bill to regulate the source of salaries of police officers of the city of Greensboro.

Referred to Committee on Calendar.

H. B. 721, a bill to permit Catawba County and any municipality located therein to accept deeds for real property in payment of taxes or special assessments due thereon in lieu of foreclosure of the tax or assessment lien and to sell such property.

Referred to Committee on Calendar.

H. B. 742, a bill to authorize the board of county commissioners of Gaston County to regulate the release and the hunting of foxes in Gaston County.

Referred to Committee on Calendar.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 292, a bill to provide for an election on the question of the extension of corporate limits of the city of Statesville, upon third reading.

The bill passes its third reading by roll call vote, ayes 30, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brock, Carlyle, Chaffin, Cherry, Clark, Cole, Farthing, Graham, Gregory, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, McKee, O'Berry, Palmer, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Weathers, Whitaker—30.

The bill is ordered sent to the House of Representatives.

S. B. 296, a bill to authorize New Hanover County to establish and maintain a county law library, upon third reading.

The bill passes its third reading by roll call vote, ayes 30, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brock, Carlyle, Chaffin, Cherry, Clark, Cole, Farthing, Graham, Gregory, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, McKee, O'Berry, Palmer, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Weathers, Whitaker—30.

The bill is ordered sent to the House of Representatives.

S. B. 297, a bill to provide for the creation of a retirement system for employees of the city of Wilmington, and to provide machinery for the proper administration thereof, upon third reading.

The bill passes its third reading by roll call vote, ayes 30, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brock, Carlyle, Chaffin, Cherry, Clark, Cole,

Farthing, Graham, Gregory, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, McKee, O'Berry, Palmer, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Weathers, Whitaker—30.

The bill is ordered sent to the House of Representatives.

S. B. 306, a bill to authorize Gastonia Township in Gaston County, North Carolina, subject to the approval of a majority of the qualified voters therein, to issue bonds for an airport and to authorize the levy and collection of an annual tax for the maintenance thereof, upon third reading.

The bill passes its third reading by roll call vote, ayes 30, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brock, Carlyle, Chaffin, Cherry, Clark, Cole, Farthing, Graham, Gregory, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, McKee, O'Berry, Palmer, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Weathers, Whitaker—30.

The bill is ordered sent to the House of Representatives.

H. B. 441, a bill to amend Chapter 218, Public Local Laws of 1941, relating to special tax levy of Sampson County for repairs to jail and other county buildings, upon third reading.

The bill passes its third reading by roll call vote, ayes 30, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brock, Carlyle, Chaffin, Cherry, Clark, Cole, Farthing, Graham, Gregory, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, McKee, O'Berry, Palmer, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Weathers, Whitaker—30.

The bill is ordered enrolled.

S. B. 298, a bill to amend the charter of the town of Carolina Beach. The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 521, a bill to amend Chapter 321 of the Public Laws of 1941, relating to terms of Superior Courts in the Sixth Judicial District, to provide for a civil and criminal term in Onslow County in May of each year.

Passes its second and third readings and is ordered enrolled.

H. B. 529, a bill to provide for additional clerk hire in the offices of clerk of Superior Court and register of deeds of Davie County.

Passes its second and third readings and is ordered enrolled.

H. B. 559, a bill to amend the charter of the town of Wrightsville Beach.

Senator Wade offers several amendments which are adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives, for concurrence in the Senate amendments.

H. B. 590, a bill creating the office of tax collector for Hertford County and repealing Chapter 259 of the Public Local Laws of 1933.

Passes its second and third readings and is ordered enrolled.

H. B. 598, a bill to amend Chapter 302 of the Private Laws of 1913,



to provide that the town clerk of the town of Oxford shall be the clerk of the mayor's court, and to provide a turnkey fee.

Passes its second and third readings and is ordered enrolled.

H. B. 601, a bill to amend Chapter 37, Private Laws, 1923, entitled "An Act to incorporate the city of Greensboro, to define its corporate limits, and to provide for its government; to repeal the present charter of the city of Greensboro except as provided herein; to provide for the control and support of the present Greensboro School District, and for other purposes," as amended.

Passes its second and third readings and is ordered enrolled.

H. B. 606, a bill to repeal Chapter 278 of the Private Laws of 1907 incorporating the town of Royall Cotton Mills.

Passes its second and third readings and is ordered enrolled.

H. B. 608, a bill to prohibit the manufacture, purchase, sale, dealing in, transportation, possession, advertisement and use of pyrotechnics in Harnett County.

Passes its second and third readings and is ordered enrolled.

H. B. 640, a bill to authorize the board of commissioners of Henderson County to operate the county jail, and to regulate the salaries of certain officials.

Passes its second and third readings and is ordered enrolled.

H. B. 641, a bill to amend and extend the provisions of Chapter 494, Public Local Laws of 1939, relating to the collection of delinquent taxes in Henderson County.

Passes its second and third readings and is ordered enrolled.

H. B. 642, a bill to appoint a member of the board of water commissioners of the city of Hendersonville.

Passes its second and third readings and is ordered enrolled.

S. B. 305, a bill to authorize the Governor, with the approval of the Council of State, to allocate funds for the purpose of completing the establishment of the vocational textile school at Belmont in order that same may be placed in operation as soon as possible.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 106, a bill to provide for compensation for the injury of Thelma Farthing, a school child of Watauga County, received while buses were loading after school.

The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered returned to the House of Representatives, for concurrence in the Senate substitute.

H. B. 406, a bill to clarify sundry Sections of the law relating to the Prison Department of the State Highway and Public Works Commission as set forth in Chapter 148 of the General Statutes.

Passes its second and third readings and is ordered enrolled.

H. B. 407, a bill to clarify Sections of the law relating to the State Highway and Public Works Commission as set forth in Chapter 136 of the General Statutes.

Passes its second and third readings and is ordered enrolled.

H. R. 688, a joint resolution continuing the Commission appointed by the Governor of the State of North Carolina as provided in Joint

Resolution 21 of the General Assembly of 1941, ratified March 10, 1941, for the purpose of continuing its investigation and study and recommending to the General Assembly of 1945 a redistricting of the Judicial and Solicitorial Districts of the State and arranging a schedule of court to conform to such redistricting.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Larkins, the Senate recesses to meet this afternoon at 2:30 o'clock.

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#### AFTERNOON SESSION

SENATE CHAMBER,  
Monday, March 1, 1943.

The Senate meets pursuant to recess, and is called to order by Lieutenant Governor R. L. Harris.

Upon motion of Senator Cherry, Bobby Friday of Gastonia, N. C., is made an honorary page of the Senate.

Upon motion of Senator Price, Miss Jane Stewart Rodgers is made an honorary page of the Senate.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Taylor, for the Committee on Appropriations:

S. B. 241, a bill to provide compensation for attendance upon meetings of the members of the commission created by Resolutions 27 and 34 of the General Assembly of 1941, with a favorable report.

S. B. 192, a bill making an appropriation to the North Carolina State Art Society, Incorporated, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

S. B. 248, a bill to place the North Carolina Symphony Society, Incorporated, under the patronage and control of the State, and to authorize the Governor and Council of State to make an allotment from the Contingency and Emergency Fund in aid thereof, with a favorable report.

H. B. 294, a bill to amend the Retirement System for teachers and State employees with reference to prior service of certain State Highway and Public Works Commission employees, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Barker: S. B. 336, a bill to authorize the Governor and Council of State to allocate additional funds from the Contingency and Emergency Fund to Pembroke State College for Indians for the next biennium.

Referred to Committee on Calendar.



## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 272, a bill to amend an Act known as "The North Carolina Workmen's Compensation Act," being Chapter 120, Public Laws of 1929, as amended, increasing benefits under Section 31, clarifying disfigurement provisions and increasing maximum weekly rate of compensation from \$18.00 to \$21.00.

Referred to Committee on Calendar.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 610, a bill to incorporate the town of Harrells Store in Sampson County, upon second reading.

The bill passes its second reading by roll call vote, ayes 27, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brock, Carlyle, Chaffin, Cherry, Cole, Farthing, Graham, Gregory, Johnson of Halifax, Lanier, Larkins, McKee, Palmer, Pittman, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Whitaker—27.

S. B. 322, a bill to prohibit the sale of wine or beer in Hertford County between the hours of eleven o'clock p.m. on Saturdays and six o'clock a.m. on Mondays.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 324, a bill to amend Section 934 (a) of Volume 3 of the Consolidated Statutes, relating to the appointment of assistant clerks of the Superior Court by providing that two assistant clerks of the Superior Court may be named in Mecklenburg County.

Upon motion of Senator Blythe, the bill is laid upon the Table.

S. B. 328, a bill to amend Chapter 366 of the Public Local Laws of 1941, relating to the recorder's court of Edgecombe County, so as to increase the salaries of the recorder and prosecutor.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 537, a bill to reduce the term of office of the judge of recorder's court of Brunswick County from four to two years, to fix the salary of the said judge and to repeal Chapter 327 of the Public Local Laws of 1939.

Upon motion of Senator Ruark, action on the bill is deferred until tomorrow.

S. B. 284, a bill providing that upon the extension of the corporate limits of any municipality, coterminous boundaries of city administrative units shall be likewise extended, upon third reading.

Senator Mitchell offers an amendment, held not to be material, which is adopted.

The bill, as amended, passes its third reading by roll call vote, ayes 34, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brock, Carlyle, Chaffin, Cherry, Clark, Cole, Farthing, Graham, Gregory, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Mitchell, McKee, O'Berry, Palmer, Pittman, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Weathers, Whitaker—34.

The bill is ordered sent to the House of Representatives without engrossment.

H. B. 509, a bill to authorize the issuance of bonds or notes of the State, when approved by the Governor and Council of State, for refunding or taking up the first mortgage bonds and certain indebtedness of the Atlantic and North Carolina Railroad, upon second reading.

The bill passes its second reading by roll call vote, ayes 26, noes 1, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brock, Carlyle, Chaffin, Cherry, Cole, Farthing, Graham, Gregory, Lanier, Mitchell, McKee, Palmer, Pittman, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Whitaker—26.

Those voting in the negative are: Senator Johnson of Halifax.

H. B. 510, a bill to authorize a loan to the Atlantic and North Carolina Railroad Company if found necessary by the Governor and Council of State for part payment of the cost of the rehabilitation of the road-bed, track and structures and other properties of said railroad, and to authorize the issuance of State bonds to provide for the cost thereof, upon second reading.

The bill passes its second reading by roll call vote, ayes 27, noes 1, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brock, Carlyle, Chaffin, Cherry, Cole, Farthing, Graham, Gregory, Lanier, Mitchell, McKee, Palmer, Pittman, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Weathers, Whitaker—27.

Those voting in the negative are: Senator Johnson of Halifax.

S. B. 318, a bill to amend Chapter 100 of the Public Laws of 1927, as amended, relating to sanitary districts so as to provide for the dissolution thereof.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 321, a bill to amend "The North Carolina Workmen's Compensation Act," Chapter 120, Public Laws of 1929, as amended by Chapter 449, Public Laws of 1933, so as to give the employer the exclusive right of action against the third party within six months and to provide for prorating attorney's fees in such cases.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 329, a bill to authorize and empower governing boards of counties, cities and towns to remit and refund taxes illegally collected and paid into the treasury of such municipality.



Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 244, a bill to establish a system of continuous statute research and correction in the division of legislative drafting and codification of statutes.

Passes its second and third readings and is ordered enrolled.

H. B. 246, a bill to prohibit detective agencies from collecting accounts.

Passes its second and third readings and is ordered enrolled.

H. B. 422, a bill to amend the uniform partnership Act so as to provide expressly that the death of a partner does not cause a dissolution of the partnership in those cases where the partnership agreement provides otherwise.

Passes its second and third readings and is ordered enrolled.

H. B. 423, a bill to amend Consolidated Statutes, Section 6331, pertaining to power of insurance companies to purchase, hold and convey real estate.

Passes its second and third readings and is ordered enrolled.

H. B. 461, a bill to amend Chapter 141 of the Public Laws of 1925, as amended, requiring separate specifications for certain contract work so as to include electrical installations.

Passes its second and third readings and is ordered enrolled.

H. B. 471, a bill to amend Section 76 of the Consolidated Statutes, relating to conveyances of real estate by the heirs or devisees of a decedent.

Senator Johnson of Duplin offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 478, a bill to correct the calls of State Grant No. 18852, for land in Dare County, issued to Alethia M. Midgett.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 483, a bill to reimburse Ira G. Shamel of Forsyth County for damages to his automobile through collision with a Negro school bus in January, 1942.

Passes its second and third readings and is ordered enrolled.

H. B. 547, a bill to amend Chapter 422 of the Public Laws of 1935, relative to the rental system for textbooks used in the public schools of the State.

Passes its second and third readings and is ordered enrolled.

H. B. 563, a bill to pay the hospital and medical expense for Sarah Lee Stanley, a minor child, for injuries caused by school bus.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 217, a bill providing for the establishment of an institution for the care of delinquent Negro girls in North Carolina.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Larkins, the Senate recesses to meet tonight at 8 o'clock.

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#### EVENING SESSION

SENATE CHAMBER,  
Monday, March 1, 1943.

The Senate meets pursuant to recess, and in the absence of Lieutenant Governor R. L. Harris it is called to order by President pro tempore J. Hampton Price.

Upon motion of Senator Hudgins, Bobby Brown, son of Senator Brown of Yancey County, is made an honorary page of the Senate.

Upon motion of Senator Bailey, the courtesies of the lobby are extended to Miss Ann Domptoph and Miss Browning, students at Saint Mary's School, Raleigh, N. C.

Upon motion of Senator Farthing, the courtesies of the floor are extended to former Representative Ira T. Johnson of Ashe County.

Upon motion of Senator Pittman, the courtesies of the lobby are extended to Mrs. L. M. Chaffin, wife of Senator Chaffin of Harnett County, Mr. and Mrs. W. H. Byrd, daughter and son-in-law of Senator Chaffin, and Mrs. A. W. Peede of Harnett County.

Upon motion of Senator Price, the courtesies of the floor are extended to former Representative Clair Taylor of Caswell County.

Upon motion of Senator Larkins, the courtesies of the floor are extended to former Speaker of the House of Representatives John G. Dawson of Lenoir County and former Senator Matt H. Allen of Lenoir County.

Upon motion of Senator Larkins, the courtesies of the lobby are extended to Clayton Pettaway of Onslow County.

Upon motion of Senator Weathers, the courtesies of the lobby are extended to Robert L. Thompson, former private secretary to Governor Clyde R. Hoey.

Upon motion of Senator Carlyle, H. B. 370, a bill authorizing counties to promote and protect the public health by the drainage of streams, and to authorize the levy of taxes therefor, is taken from the unfavorable Calendar and placed upon the Calendar.

Upon motion of Senator Taylor, H. B. 438, a bill to authorize the board of commissioners of Anson County to appoint rural policemen and fix their salaries, and to provide for the collection of delinquent taxes, is recalled from the House of Representatives.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Palmer, for the Committee on Salaries and Fees:

H. B. 393, a bill to amend Chapter 215 of the Public Local Laws of



1933, as amended by Chapter 111 of the Public Local Laws of 1935, relating to the salary of the sheriff of Franklin County, with a favorable report.

H. B. 395, a bill to amend Chapter 137 of the Public Local Laws of 1935, as amended by Chapter 267 of the Public Local Laws of 1937, relating to the salary of the clerk of the Superior Court of Franklin County and to the salary and appointment of deputy clerks of said court, with a favorable report.

By Senator Carlyle, for the Committee on Calendar:

S. B. 121, a bill to amend Section 6597 of the Consolidated Statutes of North Carolina by rewriting said Section so as to change the manner of establishing the Library Commission of North Carolina, with a favorable report.

The bill is placed upon today's Calendar.

S. B. 310, a bill relative to the collection of back taxes in New Hanover County and the city of Wilmington, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

The bill is placed upon today's Calendar.

S. B. 332, a bill to authorize the allocation of funds from the Contingency and Emergency Fund to defray administrative expenses provided for in conjunction with the creation of unified boards of directors for certain State hospitals and correctional institutions, with a favorable report.

The bill is placed upon today's Calendar.

S. B. 333, a bill to prohibit the manufacture or sale of anti-freeze solutions compounded with inorganic salts or petroleum distillates, with a favorable report.

The bill is placed upon today's Calendar.

S. B. 334, a bill to amend Chapter 352 of the Public Local Laws of 1933, relating to compensation of the board of commissioners of Harnett County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 62, a bill to fix the salary of the Commissioner of Agriculture and the salary of the Commissioner of Labor, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 233, a bill to reimburse William W. Hensley of Rutherford County for damages to his automobile through collision with a school bus in October, 1942, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 234, a bill to reimburse Mrs. Worth Johnson, the former Miss Verna Ree Allen, for injuries sustained in a collision with a school bus on July 29, 1941, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 251, a bill to reimburse W. Stanley Kearney, Route 1, Wake Forest, North Carolina, on account of the death of Richard Earl Kearney, a school child, who was struck and killed by a school bus on April 14, 1941, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 272, a bill to amend an Act known as "The North Carolina Workmen's Compensation Act," being Chapter 120, Public Laws of 1929, as amended, increasing benefits under Section 31, clarifying disfigurement provisions and increasing maximum weekly rate of compensation from \$18.00 to \$21.00, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 282, a bill designating the number of the district school committeemen in Yancey County by amending Chapter 196 of the Public Laws of 1941, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 292, a bill to amend Section 2787 of the Consolidated Statutes, as amended, Chapter 52 of the Public Laws of 1935, and Chapter 407 of the Public Laws of 1937, to grant to cities and towns the power to regulate and control drivers and operators of taxicabs and to tax vehicles used as taxicabs, with a favorable report.

H. B. 397, a bill to amend Section 6300 of the Consolidated Statutes of 1919, Volume 11, as amended, relating to the power of the Insurance Commissioner to revoke the license of an insurance agent, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 417, a bill to amend the charter of the city of New Bern, with a favorable report.

H. B. 453, a bill to validate certain bonds heretofore issued by Franklinton Township and by Louisburg Township in Franklin County and to authorize the issuance of refunding bonds, with a favorable report.

H. B. 476, a bill for relief of persons called into the armed forces of the United States and into the merchant marine from liability to pay license taxes and fees, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 486, a bill to amend Chapter 407 of the Public Laws of 1937, as amended, the same being the Motor Vehicle Act of 1937, relating to the extent of property damage in motor vehicle accidents required to be reported, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 488, a bill to amend Chapter 397 of the Public Laws of 1937 to provide for certification of school bus drivers by representatives designated by the Commissioner of Motor Vehicles, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 508, a bill to authorize the State Department of Agriculture to reimburse Jerry and Mildred Lee for medical and other expenses incurred in automobile collision with cattle belonging to said Department, with a favorable report.

The bill is placed upon today's Calendar.

H. R. 511, a joint resolution empowering the Governor to appoint a special commission for the purpose of studying the possibilities of the perpetual preservation of the birthplace and homestead of Governor Zebulon Baird Vance, with a favorable report.

The resolution is placed upon today's Calendar.



H. B. 515, a bill to prohibit the establishment of secret organizations in the public schools of the State, with an unfavorable report.

Senator Brooks moves that the bill be taken from the unfavorable Calendar and placed upon the Calendar.

The motion fails to prevail.

H. B. 517, a bill to provide that the Secretary of State shall cause to be published and distributed a volume containing an index to the laws relating to the various counties of the State and the cities and towns therein, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 520, a bill to amend Chapter 348 of the Public Local Laws of 1925, relating to the office of treasurer of Person County so as to provide for the election of a treasurer for Person County for a term of four years rather than for a term of two years, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 524, a bill to appoint certain members of the boards of education of the respective counties of North Carolina, fix their terms of office, and limit compensation at State expense, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 527, a bill to amend Chapter 382 of the Private Laws of 1911 of North Carolina, relating to compensation of members of the board of aldermen of the town of Spencer in Rowan County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 540, a bill to regulate the expenditure of law enforcement funds by the Pasquotank County Alcoholic Beverages Control Board, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 542, a bill to authorize the Governor and Secretary of State to execute a deed reconveying real estate erroneously conveyed to Stonewall Jackson Manual Training and Industrial School by J. T. Kennedy, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 560, a bill to amend Chapter 289 of the Public Local Laws of 1941 regulating the sheriff's department of Rutherford County, to provide for payment of salaries and expenses of deputy sheriffs with a favorable report.

H. B. 564, a bill to amend Chapter 322 of the Public Local Laws of 1919, relating to salaries in certain county offices, to provide discretionary power in the board of county commissioners to regulate the salaries of the deputy clerk of the Superior Court and the deputy register of deeds of Iredell County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 567, a bill to permit and authorize the merger of building and loan associations, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 568, a bill to reimburse Roy Hole of Stokes County for damages to his pick-up truck through collision with a school bus in December, 1941, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 569, a bill to make stock laws and laws concerning depredations of domestic fowls applicable to Nash County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 575, a bill to authorize the State Highway and Public Works Commission to furnish prison labor for farm work in certain emergencies, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 576, a bill to authorize the Commissioner of Revenue to remit a certain part of the franchise taxes of the Atlantic and North Carolina Railroad Company, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 591, a bill to adjust the compensation of certain legislative employees, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 593, a bill to provide for the compensation of the clerk of the recorder's court of Hamlet District, Richmond County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 596, a bill to reimburse I. T. Sharpe of Forsyth County for damages to his automobile through collision with a school bus on May 7, 1942, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 597, a bill to authorize the board of county commissioners of Pasquotank County to make additional appropriations after the adoption of the budget in any fiscal year, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 599, a bill to fix certain fees of the register of deeds of Swain County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 602, a bill to permit the county of Guilford to accept deeds for real estate in payment of taxes due thereon in lieu of foreclosure of the tax lien and to sell such property, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 615, a bill to amend Chapter 158 of the Private Laws, Session 1933, so as to extend the time for the payment of special assessments for local improvements in the town of Morehead City, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 623, a bill to amend Chapter 307 Public Local Laws of North Carolina, Session of 1941, to enable the Charlotte Firemen's Retirement Fund Association to be liquidated in favor of the North Carolina Local Governmental Employees Retirement System, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 626, a bill relating to officers' fees in connection with the State Liquor Laws in Montgomery County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 627, a bill to provide for the distribution of profits from alcoholic beverage control stores in Washington County, with a favorable report.



The bill is placed upon today's Calendar.

H. B. 628, a bill to amend Section 2366 of the Consolidated Statutes, as amended, relative to the forfeiture of right of possession of land by tenant or cropper, by making same applicable to Davidson County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 629, a bill to authorize the county commissioners of Polk County to turn into the general fund all taxes collected for the year 1937, and all prior years, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 634, a bill to amend the charter of the town of Belhaven and to provide the method of electing the members of the board of aldermen, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 636, a bill to place an additional penalty upon delinquent personal property taxes in Johnston County to defray expense of collection of said taxes and to pay for publishing list in newspaper, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 639, a bill to amend Chapter 383 of the Public Laws of 1939, amendatory of Section 65 (a) of the Consolidated Statutes, relating to the payment of money into the office of the clerk of the Superior Court so as to make said Section applicable to Lenoir County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 646, a bill to amend Chapter 75 of the Public Laws of 1933 regulating fees in Harnett County, to increase the sheriff's fee for an arrest, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 650, a bill to amend Chapter 37 of the Private Laws of 1905, relative to tenure of office of the mayor and members of the board of aldermen of the town of Spencer, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 679, a bill regulating the salaries of certain officers of Wake County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 685, a bill relative to the tenure of office of the mayor and members of the board of aldermen of the town of Rockwell, fixing dates for primary election, time and procedure for filing notice of intention of becoming a candidate and time of registration period, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 706, a bill to authorize the board of county commissioners of Durham County to appoint an assistant treasurer and employ a clerk or stenographer, and assign the same to the office of the treasurer, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 742, a bill to authorize the board of county commissioners of Gaston County to regulate the release and the hunting of foxes in Gaston County, with a favorable report.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Horton: S. B. 337, a bill to amend Sections 5735 and 5737 of Volume 3 of the Consolidated Statutes and Chapter 359 of the Public Laws of 1931, relating to the terms of office and per diem of the members of the Textbook Commission on Elementary Textbooks and the State Committee on High School Textbooks.

Referred to Committee on Calendar.

By Senator Harrelson: S. B. 338, a bill relating to the fees of the register of deeds of Columbus County for furnishing certified copies of records.

Referred to Committee on Calendar.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

HOUSE OF REPRESENTATIVES,  
Monday, March 1, 1943.

*Mr. President:*

At your request we are returning H. B. 438 entitled "An Act to authorize the board of commissioners of Anson County to appoint rural policemen and fix their salaries, and to provide for the collection of delinquent taxes," for further consideration of the Senate.

Respectfully,

SHEARON HARRIS, *Principal Clerk.*

Upon motion of Senator Taylor, the vote by which the bill passed its second and third readings is reconsidered.

The amendment heretofore adopted on February 26, 1943, being a material amendment, constituted the first reading of the bill and the bill is placed upon today's second reading roll call Calendar.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 148, a bill to provide for a special election to determine the levy of a special annual tax in Alexander County for the establishment, maintenance and support of public libraries, for concurrence in the House amendment.

Upon motion of Senator Wilson, the Senate concurs in the House amendment, and the bill is ordered enrolled.

S. B. 192, a bill making an appropriation to the North Carolina State Art Society, Incorporated.

The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives.



S. B. 241, a bill to provide compensation for attendance upon meetings of the members of the commission created by resolutions 27 and 34 of the General Assembly of 1941.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 248, a bill to place the North Carolina Symphony Society, Incorporated, under the patronage and control of the State, and to authorize the Governor and Council of State to make an allotment from the Contingency and Emergency Fund in aid thereof.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 294, a bill to amend the retirement system for teachers and State employees with reference to prior service of certain State Highway and Public Works Commission employees.

Passes its second and third readings and is ordered enrolled.

S. B. 310, a bill relative to the collection of back taxes in New Hanover County and the city of Wilmington.

The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 334, a bill to amend Chapter 352 of the Public Local Laws of 1933, relating to compensation of the board of commissioners of Harnett County.

The bill passes its second reading.

Upon objection of Senator Chaffin to its third reading, the bill remains upon the Calendar.

H. B. 282, a bill designating the number of the district school committeemen in Yancey County by amending Chapter 196 of the Public Laws of 1941.

Passes its second and third readings and is ordered enrolled.

H. B. 520, a bill to amend Chapter 348 of the Public Local Laws of 1925, relating to the office of treasurer of Person County so as to provide for the election of a treasurer for Person County for a term of four years rather than for a term of two years.

Passes its second and third readings and is ordered enrolled.

H. B. 527, a bill to amend Chapter 382 of the Private Laws of 1911 of North Carolina, relating to compensation of members of board of aldermen of the town of Spencer in Rowan County.

Passes its second and third readings and is ordered enrolled.

H. B. 540, a bill to regulate the expenditure of law enforcement funds by the Pasquotank County Alcoholic Beverage Control Board.

Passes its second and third readings and is ordered enrolled.

H. B. 564, a bill to amend Chapter 322 of the Public Local Laws of 1919, relating to salaries in certain county offices, to provide discretionary powers in the board of county commissioners to regulate the salaries of the deputy clerk of the Superior Court and the deputy register of deeds of Iredell County.

Passes its second and third readings and is ordered enrolled.

H. B. 569, a bill to make stock laws and laws concerning depredations of domestic fowls applicable to Nash County.

Passes its second and third readings and is ordered enrolled.

H. B. 593, a bill to provide for the compensation of the clerk of the recorder's court of Hamlet District, Richmond County.

Passes its second and third readings and is ordered enrolled.

H. B. 597, a bill to authorize the board of county commissioners of Pasquotank County to make additional appropriations after the adoption of the budget in any fiscal year.

Passes its second and third readings and is ordered enrolled.

H. B. 602, a bill to permit the county of Guilford to accept deeds for real estate in payment of taxes due thereon in lieu of foreclosure of the tax lien and to sell such property.

Passes its second and third readings and is ordered enrolled.

H. B. 599, a bill to fix certain fees of the register of deeds of Swain County.

Passes its second and third readings and is ordered enrolled.

H. B. 615, a bill to amend Chapter 158, Private Laws, Session 1933, so as to extend the time for the payment of special assessments for local improvements in the town of Morehead City.

Passes its second and third readings and is ordered enrolled.

H. B. 623, a bill to amend Chapter 307, Public Local Laws of North Carolina, Session of 1941, to enable the Charlotte Firemen's Retirement Fund Association to be liquidated in favor of the North Carolina Local Governmental Employees Retirement System.

Passes its second and third readings and is ordered enrolled.

H. B. 626, a bill relating to officers' fees in connection with the State Liquor Laws in Montgomery County.

Passes its second and third readings and is ordered enrolled.

H. B. 627, a bill to provide for the distribution of profits from alcoholic beverage control stores in Washington County.

Passes its second and third readings and is ordered enrolled.

H. B. 636, a bill to place an additional penalty upon delinquent personal property taxes in Johnston County to defray expense of collection of said taxes and to pay for publishing list in newspaper.

Passes its second and third readings and is ordered enrolled.

H. B. 639, a bill to amend Chapter 383 of the Public Laws of 1939, amendatory of Section 65 (a) of the Consolidated Statutes, relating to the payment of money into the office of the clerk of the Superior Court so as to make said Section applicable to Lenoir County.

Passes its second and third readings and is ordered enrolled.

H. B. 646, a bill to amend Chapter 75 of the Public Laws of 1933 regulating fees in Harnett County, to increase the sheriff's fee for an arrest.

Passes its second and third readings and is ordered enrolled.

H. B. 628, a bill to amend Section 2366 of the Consolidated Statutes, as amended, relative to the forfeiture of right of possession of land by tenant or cropper, by making same applicable to Davidson County.

Passes its second and third readings and is ordered enrolled.



H. B. 629, a bill to authorize the county commissioners of Polk County to turn into the general fund all taxes collected for the year 1937, and all prior years.

Passes its second and third readings and is ordered enrolled.

H. B. 634, a bill to amend the charter of the town of Belhaven and to provide the method of electing the members of the board of aldermen.

Passes its second and third readings and is ordered enrolled.

H. B. 650, a bill to amend Chapter 37 of the Private Laws of 1905, relative to tenure of office of the mayor and members of the board of aldermen of the town of Spencer.

Passes its second and third readings and is ordered enrolled.

H. B. 679, a bill regulating the salaries of certain officers of Wake County.

Senator Ballentine offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 685, a bill relative to the tenure of office of the mayor and members of the board of aldermen of the town of Rockwell, fixing dates for primary election, time and procedure for filing notice of intention of becoming a candidate and time of registration period.

Passes its second and third readings and is ordered enrolled.

H. B. 706, a bill to authorize the board of county commissioners of Durham County to appoint an assistant treasurer and employ a clerk or stenographer, and assign the same to the office of the treasurer.

Passes its second and third readings and is ordered enrolled.

S. B. 121, a bill to amend Section 6597 of the Consolidated Statutes of North Carolina by rewriting said Section so as to change the manner of establishing the Library Commission of North Carolina.

Passes its third reading and is ordered sent to the House of Representatives by special messenger.

S. B. 332, a bill to authorize the allocation of funds from the Contingency and Emergency Fund to defray administrative expenses provided for in conjunction with the creation of unified boards of directors for certain State hospitals and correctional institutions.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 333, a bill to prohibit the manufacture or sale of anti-freeze solutions compounded with inorganic salts or petroleum distillates.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 524, a bill to appoint certain members of the boards of education of the respective counties of North Carolina, fix their terms of office, and limit compensation at State expense.

Several Senators offer amendments which are adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate amendments.

H. B. 62, a bill to fix the salary of the Commissioner of Agriculture and the salary of the Commissioner of Labor.

Passes its second and third readings and is ordered enrolled.

H. B. 233, a bill to reimburse William W. Hensley of Rutherford County for damages to his automobile through collision with a school bus in October, 1942.

Passes its second and third readings and is ordered enrolled.

H. B. 234, a bill to reimburse Mrs. Worth Johnson, the former Miss Verna Ree Allen, for injuries sustained in a collision with a school bus on July 29, 1941.

Passes its second and third readings and is ordered enrolled.

H. B. 251, a bill to reimburse W. Stanley Kearney, Route 1, Wake Forest, North Carolina, on account of the death of Richard Earl Kearney, a school child, who was struck and killed by a school bus on April 14, 1941.

Passes its second and third readings and is ordered enrolled.

H. B. 272, a bill to amend an Act known as "The North Carolina Workmen's Compensation Act," being Chapter 120, Public Laws of 1929 as amended, increasing benefits under Section 31, clarifying disfigurement provisions and increasing maximum weekly rate of compensation from \$18.00 to \$21.00.

Passes its second and third readings and is ordered enrolled.

H. B. 397, a bill to amend Section 6300 of the Consolidated Statutes of 1919, Volume II, as amended, relating to the power of the Insurance Commissioner to revoke the license of an insurance agent.

Passes its second and third readings and is ordered enrolled.

H. B. 476, a bill for relief of persons called into the armed forces of the United States and into the merchant marine from liability to pay license taxes and fees.

The bill passes its second reading.

Upon objection of Senator O'Berry to its third reading, the bill remains upon the Calendar.

H. B. 486, a bill to amend Chapter 407 of the Public Laws of 1937, as amended, the same being the Motor Vehicle Act of 1937, relating to the extent of property damage in motor vehicle accidents required to be reported.

Passes its second and third readings and is ordered enrolled.

H. B. 488, a bill to amend Chapter 397 of the Public Laws of 1937 to provide for certification of school bus drivers by representatives designated by the Commissioner of Motor Vehicles.

Passes its second and third readings and is ordered enrolled.

H. B. 508, a bill to authorize the State Department of Agriculture to reimburse Jerry and Mildred Lee for medical and other expenses incurred in automobile collision with cattle belonging to said department.

Passes its second and third readings and is ordered enrolled.

H. R. 511, a joint resolution empowering the Governor to appoint a special commission for the purpose of studying the possibilities of the perpetual preservation of the birthplace and homestead of Governor Zebulon Baird Vance.



Passes its second and third readings and is ordered enrolled.

H. B. 517, a bill to provide that the Secretary of State shall cause to be published and distributed a volume containing an index to the laws relating to the various counties of the State and the cities and towns therein.

The bill passes its second reading.

Upon objection of Senator Brooks to its third reading, the bill remains upon the Calendar.

H. B. 542, a bill to authorize the Governor and Secretary of State to execute a deed reconveying real estate erroneously conveyed to Stonewall Jackson Manual Training and Industrial School by J. T. Kennedy.

Passes its second and third readings and is ordered enrolled.

H. B. 567, a bill to permit and authorize the merger of building and loan associations.

Passes its second and third readings and is ordered enrolled.

H. B. 568, a bill to reimburse Roy Hole of Stokes County for damages to his pick-up truck through collision with a school bus in December, 1941.

Passes its second and third readings and is ordered enrolled.

H. B. 575, a bill to authorize the State Highway and Public Works Commission to furnish prison labor for farm work in certain emergencies.

Passes its second and third readings and is ordered enrolled.

H. B. 576, a bill to authorize the Commissioner of Revenue to remit a certain part of the franchise taxes of the Atlantic and North Carolina Railroad Company.

Passes its second and third readings and is ordered enrolled.

H. B. 591, a bill to adjust the compensation of certain legislative employees.

Passes its second and third readings and is ordered enrolled.

H. B. 596, a bill to reimburse I. T. Sharpe of Forsyth County for damages to his automobile through collision with a school bus on May 7, 1942.

Passes its second and third readings and is ordered enrolled.

H. B. 438, a bill to authorize the board of commissioners of Anson County to appoint rural policemen and fix their salaries, and to provide for the collection of delinquent taxes, upon second reading.

The bill passes its second reading by roll call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Currie, Eagles, Evans, Farthing, Graham, Gregory, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Mitchell, McKee, O'Berry, Palmer, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson —39.

Upon motion of Senator Price, the Senate adjourns in honor of the memory of Mrs. Alice Enloe Dills, mother of Senator McKee of Jackson County, to meet tomorrow at 12 o'clock M.

## FORTY-EIGHTH DAY

SENATE CHAMBER,  
Tuesday, March 2, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Chaffin for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Brock, the courtesies of the lobby are extended to George L. Green of Madison County.

Upon motion of Senator Ballentine, the courtesies of the galleries are extended to the students of the seventh grade of Cary School of Wake County, and their teacher, Mrs. J. M. Nease.

The President extends the courtesies of the floor to former Senator Elbert S. Peele of Martin County.

Upon motion of Senator Brooks, seconded by Senator Ballentine, the courtesies of the galleries are extended to the students of the fifth and sixth grades of the Calvart Method School of Durham County, and their teachers, Mrs. Smith and Mrs. Williams.

Upon motion of Senator Benton, Miss Helen E. Heffner of Burke County is made an honorary page of the Senate.

Upon motion of Senator McKee, H. B. 524, a bill to appoint certain members of the boards of education of the respective counties of North Carolina, fix their terms of office, and limit compensation at State expense, is recalled from the House of Representatives, and upon her motion the vote by which the bill passed its third reading is reconsidered and the bill is placed upon the Calendar.

Upon motion of Senator Mitchell, H. B. 564, a bill to amend Chapter 322 of the Public Local Laws of 1919, relating to salaries in certain county offices, to provide discretionary power in the board of county commissioners to regulate the salaries of the deputy clerk of the Superior Court and the deputy register of deeds of Iredell County, is recalled from the Enrolling Office, and upon his motion the vote by which the bill passed its third reading is reconsidered and the bill is placed upon the Calendar.

## ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. R. 688, a joint resolution continuing the commission appointed by the Governor of the State of North Carolina as provided in joint resolution 21 of the General Assembly of 1941, ratified March 10, 1941, for the purpose of continuing its investigation and study and recommending to the General Assembly of 1945 a redistricting of the Judicial and Solicitorial Districts of the State and arranging a schedule of courts to conform to such redistricting.



S. B. 38, an act to amend Chapter 1 of the Public Laws of the Extra Session of 1936, known as the Unemployment Compensation Law, and all amendments and additions thereto.

S. B. 102, an act to amend Section 956 of the Consolidated Statutes of North Carolina so as to regulate the filing of annual reports by the clerk of the Superior Court of Rockingham County.

S. B. 172, an act relative to the election of trustees for Alamance County Public Hospital.

S. B. 208, an act to amend Chapter 343, Private Laws of 1907, relative to charter of town of Lumberton.

H. B. 217, an act providing for the establishment of an institution for the care of delinquent Negro girls in North Carolina.

H. B. 244, an act to establish a system of continuous statute research and correction in the division of legislative drafting and codification of statutes.

H. B. 246, an act to prohibit detective agencies from collecting accounts.

H. B. 422, an act to amend the uniform partnership act so as to provide expressly that the death of a partner does not cause a dissolution of the partnership in those cases where the partnership agreement provides otherwise.

H. B. 423, an act to amend Consolidated Statutes, Section 6331, pertaining to power of insurance companies to purchase, hold and convey real estate.

H. B. 441, an act to amend Chapter 218, Public Local Laws of 1941, relating to special tax levy of Sampson County for repairs to jail and other county buildings.

H. B. 461, an act to amend Chapter 141 of the Public Laws of 1925, as amended, requiring separate specifications for certain contract work so as to include electrical installations.

H. B. 483, an act to reimburse Ira G. Shamel of Forsyth County for damages to his automobile through collision with a Negro school bus in January, 1942.

H. B. 521, an act to amend Chapter 321 of the Public Laws of 1941, relating to terms of Superior Courts in the Sixth Judicial District, to provide for a civil and criminal term in Onslow County in May of each year.

H. B. 529, an act to provide for additional clerk hire in the offices of clerk of Superior Court and register of deeds of Davie County.

H. B. 547, an act to amend Chapter 422 of the Public Laws of 1935, relative to the rental system for textbooks used in the public schools of the State.

H. B. 590, an act creating the office of tax collector for Hertford County and repealing Chapter 259 of the Public Local Laws of 1933.

H. B. 591, an act to adjust the compensation of certain legislative employees.

H. B. 598, an act to amend Chapter 302 of the Private Laws of 1913, to provide that the town clerk of the town of Oxford shall be the clerk to the mayor's court, and to provide a turnkey fee.

H. B. 606, an act to repeal Chapter 278 of the Private Laws of 1907 incorporating "the town of Royall Cotton Mills."

H. B. 608, an act to prohibit the manufacture, purchase, sale, dealing in, transportation, possession, advertisement and use of pyrotechnics in Harnett County.

H. B. 640, an act to authorize the board of commissioners of Henderson County to operate the county jail, and to regulate the salaries of certain officials.

H. B. 641, an act to amend and extend the provisions of Chapter 492, Public Local Laws of 1939, relating to the collection of delinquent taxes in Henderson County.

H. B. 642, an act to appoint a member of the board of water commissioners of the city of Hendersonville.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Johnson of Duplin, for the Committee on Judiciary No. 1:

H. B. 44, a bill to make more elastic the punishments for certain violations of the lottery and gaming laws of the State of North Carolina, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

By Senator Carlyle, for the Committee on Calendar:

S. B. 335, a bill to repeal Chapter 47 of the Public Local Laws of 1939 as it relates to hunting and fishing in "The Big Swamp" in Robeson County, with a favorable report.

S. B. 338, a bill relating to the fees of the register of deeds of Columbus County for furnishing certified copies of records, with a favorable report.

H. B. 116, a bill to amend Chapter 456 of the Public Laws of 1935, as amended, known as "The Housing Authorities Laws," relating to the creation of housing authorities to engage in slum clearance and projects to provide dwelling accommodations for persons of low income (including farmers of low income) and to define their powers, with a favorable report.

H. B. 254, a bill to amend Section 1197 of the Consolidated Statutes of 1919, as amended by Chapter 223 of the Public Laws of 1937, relating to liens for labor and services, to provide for registered mortgages and deeds of trust, with a favorable report.

H. B. 312, a bill to prohibit the sale of cattle, swine or veal by public auction except by weight determined at the time of sale in Mecklenburg County, with a favorable report.

H. B. 469, a bill to amend Section 996 of the Consolidated Statutes, relating to revocation of deeds of future interests made to persons not in esse, with a favorable report.

H. B. 480, a bill to allow the payment of a salary to the jailer of Northampton County in lieu of fees, with a favorable report.



H. B. 498, a bill to extend the term of office of the treasurer of Gaston County, and to provide for a four-year term for said treasurer, with a favorable report.

H. B. 501, a bill to amend the charter to extend the corporate limits of the city of New Bern, with a favorable report, as amended.

H. B. 506, a bill to regulate the fees for appraisers of homestead and personal property exemptions in Durham County, with a favorable report.

H. B. 513, a bill to amend Chapter 110 of the Consolidated Statutes of 1919, as amended, relating to the granting of injunctions against the illegal practice of optometry, with a favorable report.

H. B. 541, a bill to amend Section 1 of Chapter 48 of the Public Local Laws of 1931, to place the register of deeds on a salary basis, with a favorable report.

H. B. 555, a bill to amend Sections 1661 and 1659 of the Consolidated Statutes, and Chapter 100 of the Public Laws of 1937 (1659a), to change the residence requirement for divorce from one year to six months, with a favorable report.

H. B. 594, a bill to fix the salary of the assistant clerk of the Superior Court of Haywood County, with a favorable report.

H. B. 595, a bill fixing the terms of office of the chairman and members of the board of county commissioners, the register of deeds, the tax collector and the county surveyor, and to extend the terms of office of the present incumbents in said offices, with a favorable report.

H. B. 691, a bill validating all acts of the governing body of the city of Charlotte and the hospital board of the "Charlotte Memorial Hospital" consisting of nineteen members under an ordinance adopted by the governing body of the city of Charlotte on the 17th day of April, 1940, and under the amendments thereto, with a favorable report.

H. B. 695, a bill to authorize the conveyance of real property, the title to which is vested in the city of Greensboro, but which is held as an investment in the sinking fund of the city, with a favorable report.

H. B. 696, a bill to authorize Carteret County, North Carolina, to acquire lands for an airport, or landing field, in connection with civilian defense, and general uses, with a favorable report.

H. B. 712, a bill to amend Chapter 141 of the Public Local Laws of 1925, as amended, relating to the office of purchasing agent, tax supervisor and bookkeeper for Surry County, with a favorable report.

H. B. 713, a bill to amend Chapter 423 of the Public Local Laws of 1935, relating to the creation of the office of tax collector for Surry County and to provide for the appointment of tax collectors in Surry County and for the creation of tax collection districts, with a favorable report.

H. B. 721, a bill to permit Catawba County and any municipality located therein to accept deeds for real property in payment of taxes or special assessments due thereon in lieu of foreclosure of the tax or assessment lien and to sell such property, with a favorable report.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senators Horton, O'Berry, Taylor and Evans: S. R. 339, a resolution expressing appreciation to the incorporators, officers and contributing members of the North Carolina Textile Foundation, Incorporated.

Referred to Committee on Calendar.

By Senators Price, Matheny, Sanders, O'Berry, Taylor, Carlyle and Smith: S. B. 340, a bill to provide a war bonus for the pages and other Senate and House of Representatives employees for the Session of 1943.

Upon motion of Senator Price, the bill is placed upon the Calendar.

By Senator McKee: S. R. 341, a joint resolution memorializing Electors of the Hall of Fame of New York University with reference to Sidney Lanier.

Upon motion of Senator McKee, the rules are suspended and the resolution is taken up for immediate consideration.

Passes its second and third readings and is ordered sent to the House of Representatives by special messenger.

By Senator Chaffin: S. B. 342, a bill relating to the salaries of certain officers of Harnett County.

Referred to Committee on Calendar.

By Senator Chaffin: S. B. 343, a bill to amend Chapter 457 of the Public Local Laws of 1939, relating to the recorder's court of the town of Dunn, to provide for salaries for officials of the court.

Referred to Committee on Calendar.

By Senator Smith: S. B. 344, a bill to amend Section 1403 of Chapter 310 of the Public Laws of 1939, relating to discounts and penalties to provide a schedule of discounts and penalties on poll and property taxes for the county of Surry, the town of Mount Airy and the town of Elkin.

Referred to Committee on Calendar.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 295, a bill to provide a method of absentee registering and voting, in time of war, by members of the land and naval forces absent from the place of their residence.

Referred to Committee on Calendar.

H. B. 490, a bill to amend Chapter 407 of the Public Laws of 1937, as amended, relating to the registration of motor vehicles and the payment of fees therefor, etc.

Referred to Committee on Calendar.

H. B. 556, a bill to amend Section 1443 of the Consolidated Statutes of 1919, as amended, relating to the several terms of Superior Court for Union County.

Referred to Committee on Calendar.



H. B. 582, a bill to amend Chapter 241 of the Public Local Laws of 1933, relating to the use of long haul or drag nets in certain waters in Beaufort, Hyde and Onslow Counties, and to repeal Chapter 409 of the Public Local Laws of 1935, amending said Chapter.

Referred to Committee on Calendar.

HOUSE OF REPRESENTATIVES,  
Tuesday, March 1, 1943.

*Mr. President:*

It is ordered that a message be sent your Honorable Body requesting the return of H. B. 719, entitled "A bill to regulate the source of salaries of police officers of the city of Greensboro," for further consideration by the House of Representatives.

Respectfully,

SHEARON HARRIS, *Principal Clerk.*

Upon motion of Senator Hudgins, the bill is ordered returned to the House of Representatives.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 438, a bill to authorize the board of commissioners of Anson County to appoint rural policemen and fix their salaries, and to provide for the collection of delinquent taxes, upon third reading.

The bill passes its third reading by roll call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Cole, Currie, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—44.

The bill is ordered returned to the House of Representatives for concurrence in the Senate amendmnt.

H. B. 610, a bill to incorporate the town of Harrels Store in Sampson County, upon third reading.

The bill passes its third reading by roll call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Cole, Currie, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—44.

The bill is ordered enrolled.

S. B. 331, a bill to authorize the commissioners of Jackson County to levy a special hospital tax, upon second reading.

The bill passes its second reading by roll call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Cole, Currie, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—44.

H. B. 417, a bill to amend the charter of the city of New Bern, upon second reading.

The bill passes its second reading by roll call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Cole, Currie, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—44.

H. B. 453, a bill to validate certain bonds heretofore issued by Franklinton Township and by Louisburg Township in Franklin County and to authorize the issuance of refunding bonds, upon second reading.

The bill passes its second reading by roll call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Cole, Currie, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Wade, Wallace, Watkins, Watson, Whitaker, Wilson—44.

S. B. 334, a bill to amend Chapter 352 of the Public Local Laws of 1933, relating to compensation of the board of commissioners of Harnett County.

Passes its third reading and is ordered sent to the House of Representatives.

H. B. 393, a bill to amend Chapter 215 of the Public Local Laws of 1933, as amended by Chapter 111 of the Public Local Laws of 1935, relating to the salary of the sheriff of Franklin County.

Passes its second and third readings and is ordered enrolled.

H. B. 395, a bill to amend Chapter 137 of the Public Local Laws of 1935, as amended by Chapter 267 of the Public Local Laws of 1937, relating to the salary of the clerk of the Superior Court of Franklin County and to the salary and appointment of deputy clerks of said court.

Passes its second and third readings and is ordered enrolled.

H. B. 537, a bill to reduce the term of office of the judge of recorder's court of Brunswick County from four to two years, to fix the salary of



the said judge and to repeal Chapter 327 of the Public Local Laws of 1939.

Senator Ruark offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 560, a bill to amend Chapter 289 of the Public Local Laws of 1941, regulating the sheriff's department of Rutherford County, to provide for payment of salaries and expenses of deputy sheriffs.

Passes its second and third readings and is ordered enrolled.

H. B. 509, a bill to authorize the issuance of bonds or notes of the State, when approved by the Governor and Council of State, for refunding or taking up the first mortgage bonds and certain indebtedness of the Atlantic and North Carolina Railroad, upon third reading.

The bill passes its third reading by roll call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Cole, Currie, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Wade, Wallace, Watson, Weathers, Whitaker, Wilson—41.

The bill is ordered enrolled.

H. B. 510, a bill to authorize a loan to the Atlantic and North Carolina Railroad Company if found necessary by the Governor and Council of State for part payment of the cost of the rehabilitation of the road-bed, track and structures and other properties of said railroad, and to authorize the issuance of State bonds to provide for the cost thereof, upon third reading.

The bill passes its third reading by roll call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Cole, Currie, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Wade, Wallace, Watson, Weathers, Whitaker, Wilson—41.

The bill is ordered enrolled.

H. B. 292, a bill to amend Section 2787 of the Consolidated Statutes, as amended, Chapter 52 of the Public Laws of 1935, and Chapter 407 of the Public Laws of 1937, to grant to cities and towns the power to regulate and control drivers and operators of taxicabs and to tax vehicles used as taxicabs, upon second reading.

Senator Johnson of Duplin offers an amendment, held not to be material, which is adopted.

The bill, as amended, passes its second reading by roll call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brooks, Brown, Carlyle, Chaffin, Cherry, Cole, Currie, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—45.

H. B. 370, a bill authorizing counties to promote and protect the public health by the drainage of streams, and to authorize the levy of taxes therefor, upon second reading.

Senator Brooks offers an amendment, held not to be material, which is adopted.

Upon motion of Senator Blythe, the vote by which the amendment offered by Senator Brooks was adopted is reconsidered.

Senator Brooks moves that the bill be laid upon the Table.

The motion fails to prevail.

Senator Johnson of Duplin offers an amendment, held not to be material, which is adopted.

The bill, as amended, passes its second reading by roll call vote, ayes 39, noes 5, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Blythe, Brooks, Brown, Carlyle, Chaffin, Cherry, Currie, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Halifax, Larkins, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—39.

Those voting in the negative are: Senators Ballentine, Brock, Johnson of Duplin, Leary, Sanders—5.

Senator Brooks moves that the bill be re-referred to the Committee on Judiciary No. 1.

The motion fails to prevail.

H. B. 375, a bill to amend Section 7 of Article 14 of the Constitution of North Carolina, relating to double office holding, upon second reading.

The bill passes its second reading by roll call vote, ayes 38, noes 6, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Blythe, Brock, Brooks, Brown, Carlyle, Cherry, Cole, Currie, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Larkins, Leary, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Whitaker, Wilson—38.

Those voting in the negative are: Senators Barber, Benton, Chaffin, Johnson of Halifax, Watkins, Watson—6.

The bill passes its third reading by roll call vote, ayes 39, noes 6, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Blythe, Brock, Brooks, Brown, Carlyle, Cherry, Cole, Currie, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Larkins, Leary, Matheny, Mitchell, McKee,



O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Weathers, Whitaker, Wilson—39.

Those voting in the negative are: Senators Barber, Benton, Chaffin, Johnson of Halifax, Watkins, Watson—6.

The bill is ordered enrolled.

H. B. 476, a bill for relief of persons called into the armed forces of the United States and into the merchant marine from liability to pay license taxes and fees.

Passes its third reading and is ordered enrolled.

H. B. 517, a bill to provide that the Secretary of State shall cause to be published and distributed a volume containing an index to the laws relating to the various counties of the State and cities and towns therein.

Passes its third reading and is ordered enrolled.

H. B. 524, a bill to appoint certain members of the boards of education of the respective counties of North Carolina, fix their terms of office, and limit compensation at State expense.

Senator McKee offers an amendment which is adopted.

The bill, as amended, passes its third reading and is ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 564, a bill to amend Chapter 322 of the Public Local Laws of 1919, relating to salaries in certain county offices, to provide discretionary power in the board of county commissioners to regulate the salaries of the deputy clerk of the Superior Court and the deputy register of deeds of Iredell County.

Senator Mitchell offers an amendment which is adopted.

The bill, as amended, passes its third reading and is ordered returned to the House of Representatives for concurrence in the Senate amendment.

#### SPECIAL MESSAGE FROM THE GOVERNOR

Tuesday, March 2, 1943.

*Mr. President, Mr. Speaker and Members of the General Assembly:*

During recent months there has been created and established by leaders of the textile industry in North Carolina a foundation known as North Carolina Textile Foundation, Incorporated, designed to aid and promote, by financial assistance and otherwise, all types of textile education and research at the North Carolina State College of Agriculture and Engineering of the University of North Carolina. This movement has received enthusiastic support and already more than Three Hundred Thousand Dollars, in cash, has been donated to the Foundation to promote its objects and purposes. I am informed that there is every probability that within the next few months this total will excel one-half million dollars.

Those who have promoted this useful foundation are among the ablest and most patriotic of the citizens of our State. They express the hope that this agency will help to advance very substantially the program of instruction and experiment in the textile division at State

College. It is confidently expected that this important school of textile engineering will become the greatest school of its kind in all the world.

This is such a significant and far-reaching plan, related to one of the greatest of our institutions, as to merit in my opinion the thanks of the State as expressed by formal resolution of the General Assembly. I therefore take the liberty of transmitting for the consideration of the General Assembly a resolution of appreciation to all who have had a part in this signal achievement.

Upon motion of Senator Carlyle, the Senate recesses to meet this afternoon at 3:30 o'clock.

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#### AFTERNOON SESSION

SENATE CHAMBER,  
Tuesday, March 2, 1943.

The Senate meets pursuant to recess, and is called to order by Lieutenant Governor R. L. Harris.

Upon motion of Senator Bailey, the courtesies of the lobby are extended to Miss Katherine Craig, a senior at Duke University and daughter of Representative Craig of Buncombe County.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Carlyle, for the Committee on Calendar:

S. B. 308, a bill to amend Chapter 103 of the Consolidated Statutes of 1919, relating to the method of commitment to hospitals for insane, with a favorable report, as amended.

S. B. 337, a bill to amend Sections 5735 and 5737 of Volume 3 of the Consolidated Statutes, and Chapter 359 of the Public Laws of 1931, relating to the terms of office and per diem of the members of the Textbook Commission on Elementary Textbooks and the State Committee on High School Textbooks, with a favorable report.

S. R. 339, a resolution expressing appreciation to the incorporators, officers and contributing members of North Carolina Textile Foundation, Incorporated, with a favorable report.

S. B. 325, a bill to increase the appropriation for public libraries in North Carolina, with an unfavorable report.

S. B. 336, a bill to authorize the Governor and Council of State to allocate additional funds from the Contingency and Emergency Fund to Pembroke State College for Indians for the next biennium, with an unfavorable report.

Senator Barker moves that the bill be taken from the unfavorable Calendar and placed upon the Calendar.

The motion fails to prevail.

S. B. 342, a bill relating to the salaries of certain officers of Harnett County, with a favorable report.



S. B. 343, a bill to amend Chapter 457 of the Public Local Laws of 1939, relating to the recorder's court of the town of Dunn, to provide for the salaries for officials of the court, with a favorable report.

S. B. 344, a bill to amend Section 1403 of Chapter 310 of the Public Laws of 1939, relating to discounts and penalties, to provide a schedule of discounts and penalties on poll and property taxes for the county of Surry, the town of Mount Airy, and the town of Elkin, with a favorable report.

H. B. 295, a bill to provide a method of absentee registering and voting, in time of war, by members of the land and naval forces absent from the place of their residence, with a favorable report.

H. B. 442, a bill to amend Chapter 441, Public Laws of 1931, relating to special levies in certain counties, with an unfavorable report.

H. B. 475, a bill to amend Section 3930 of the Consolidated Statutes, to relieve the sheriffs of the counties of the State from the responsibility of filing bonds conditioned on the collection and settlement of State taxes, with an unfavorable report.

H. B. 346, a bill to amend Chapter 1 of the Public Laws of the Extra Session of 1939, as amended, known as the Unemployment Compensation Law, with a favorable report.

H. B. 368, a bill to reimburse Lloyd Church of Avery County for medical and hospital expenses expended on behalf of his minor child for injuries caused by school bus, with a favorable report, as amended.

H. B. 371, a bill to prevent public drunkenness in Currituck County, with a favorable report.

H. B. 490, a bill to amend Chapter 407 of the Public Laws of 1937, as amended, relating to the registration of motor vehicles and the payment of fees therefor, etc., with a favorable report, as amended.

H. B. 556, a bill to amend Section 1443 of the Consolidated Statutes of 1919, as amended, relating to the several terms of Superior Court for Union County, with a favorable report.

H. B. 570, a bill relating to the fees of the clerk of the Superior Court of Avery County, with an unfavorable report.

H. B. 582, a bill to amend Chapter 241 of the Public Local Laws of 1933, relating to the use of long haul or drag nets in certain waters in Beaufort, Hyde, and Onslow Counties, and to repeal Chapter 409 of the Public Local Laws of 1935, amending said Chapter, with an unfavorable report.

H. B. 603, a bill to amend the statute prescribing the order in which persons are entitled to letters of administration in cases of intestacy, with an unfavorable report.

H. B. 607, a bill to amend Section 1 of Chapter 382 of the Public Laws of 1941, relating to the appointment of a commission to study and determine the advisability and feasibility of establishing a nautical school in the State of North Carolina, to extend the operation of the Act until July 1, 1944, with an unfavorable report.

H. B. 659, a bill to require the board of education of Currituck County to convey certain property located in the village of Shawboro to a board of trustees for public purposes, with a favorable report.

H. B. 664, a bill to authorize the tax collector of Martin County to accept pre-payments of county taxes and the delivery of tax books

to such collector prior to his annual settlement, with an unfavorable report.

H. B. 678, a bill relating to the re-indexing of records of real estate conveyances and judgments in Northampton County and to prescribe periods for the commencement of actions on account of negligence, inaccuracies, errors or omissions in the supervision or preparation of the new indexes, with a favorable report, as amended.

H. B. 682, a bill to amend Chapter 258 of the Public Local Laws of 1941 relative to the conveyance of the Powells Point School property by the board of education of Currituck County for use as a community center, with a favorable report.

H. B. 694, a bill to provide clerical assistance in the office of the sheriff, tax collector and treasurer of Alleghany County, with an unfavorable report.

H. B. 697, a bill to extend the term of office of the register of deeds and the tax collector of Mitchell County to four years, with an unfavorable report.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 388, a bill to create an alcoholic beverage control board and to provide for the control of the sale of alcoholic beverages in Halifax County.

Referred to Committee on Calendar.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 335, a bill to repeal Chapter 47 of the Public Local Laws of 1939 as it relates to hunting and fishing in "The Big Swamp" in Robeson County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 338, a bill relating to the fees of the register of deeds of Columbus County for furnishing certified copies of records.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 312, a bill to prohibit the sale of cattle, swine or veal, by public auction except by weight determined at the time of sale in Mecklenburg County.

Passes its second and third readings and is ordered enrolled.

H. B. 480, a bill to allow the payment of a salary to the jailer of Northampton County in lieu of fees.

Passes its second and third readings and is ordered enrolled.

H. B. 498, a bill to extend the term of office of the treasurer of Gaston County, and to provide for a four year term for said treasurer.

Passes its second and third readings and is ordered enrolled.



H. B. 506, a bill to regulate the fees for appraisers of homestead and personal property exemptions in Durham County.

Passes its second and third readings and is ordered enrolled.

H. B. 541, a bill to amend Section 1 of Chapter 48 of the Public Local Laws of 1931, to place the register of deeds on a salary basis.

Passes its second and third readings and is ordered enrolled.

H. B. 594, a bill to fix the salary of the assistant clerk of the Superior Court of Haywood County.

Passes its second and third readings and is ordered enrolled.

H. B. 595, a bill fixing the terms of office of the chairman and members of the board of county commissioners, the register of deeds, the tax collector, and the county surveyor, and to extend the terms of office of the present incumbents in said offices.

Passes its second and third readings and is ordered enrolled.

H. B. 691, a bill validating all acts of the governing body of the city of Charlotte and the hospital board of the "Charlotte Memorial Hospital" consisting of 19 members under an ordinance adopted by the governing body of the city of Charlotte on the 17th day of April, 1940, and under the amendments thereto.

Passes its second and third readings and is ordered enrolled.

H. B. 695, a bill to authorize the conveyance of real property, the title to which is vested in the city of Greensboro, but which is held as an investment in the sinking fund of the city.

Passes its second and third readings and is ordered enrolled.

H. B. 696, a bill to authorize Carteret County, North Carolina, to acquire lands for an airport, or landing field, in connection with civilian defense, and general uses.

Passes its second and third readings and is ordered enrolled.

H. B. 712, a bill to amend Chapter 141 of the Public Local Laws of 1925, as amended, relating to the office of purchasing agent, tax supervisor and bookkeeper for Surry County.

Passes its second and third readings and is ordered enrolled.

H. B. 713, a bill to amend Chapter 423 of the Public Local Laws of 1935, relating to the creation of the office of tax collector for Surry County and to provide for the appointment of tax collectors in Surry County and for the creation of tax collection districts.

Passes its second and third readings and is ordered enrolled.

H. B. 721, a bill to permit Catawba County and any municipality located therein to accept deeds for real property in payment of taxes or special assessments due thereon in lieu of foreclosure of the tax or assessment lien and to sell such property.

Passes its second and third readings and is ordered enrolled.

S. B. 340, a bill to provide a war bonus for the pages and other Senate and House of Representatives employees for the Session of 1943.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 44, a bill to make more elastic the punishments for certain violations of the lottery and gaming laws of the State of North Carolina.

The substitute offered by the Committee is adopted.

Upon motion of Senator Cherry, action on the bill is deferred until tomorrow.

H. B. 254, a bill to amend Section 1197 of the Consolidated Statutes of 1919, as amended by Chapter 223 of the Public Laws of 1937, relating to liens for labor and services, to provide for registered mortgages and deeds of trust.

Passes its second and third readings and is ordered enrolled.

H. B. 469, a bill to amend Section 996 of the Consolidated Statutes, relating to revocation of deeds of future interests made to persons not in esse.

Passes its second and third readings and is ordered enrolled.

H. B. 513, a bill to amend Chapter 110 of the Consolidated Statutes of 1919, as amended, relating to the granting of injunctions against the illegal practices of optometry.

Passes its second and third reading and is ordered enrolled.

H. B. 555, a bill to amend Sections 1661 and 1659 of the Consolidated Statutes, and Chapter 100 of the Public Laws of 1937 (1659a), to change the residence requirement for divorce from one year to six months.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Price, the Senate adjourns to meet tomorrow at 12 o'clock M.

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#### FORTY-NINTH DAY

SENATE CHAMBER,  
Wednesday, March 3, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Chaffin for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Chaffin, the courtesies of the lobby are extended to Mrs. Joseph C. Eagles, wife of Senator Eagles of Wilson County, and Mrs. E. L. Tarkerton of Wilson County.

Upon motion of Senator Cherry, the courtesies of the floor are extended to former Senator Harley B. Gaston of Gaston County.

Upon motion of Senator Cherry, the courtesies of the lobby are extended to Mrs. Anne Davis Friday of Gaston County and D. P. Stowe of Belmont, N. C.

Upon motion of Senator Larkins, the courtesies of the lobby are extended to Captain John A. Nelson of Morehead City, N. C.

Upon motion of Senator Mitchell, the courtesies of the lobby are extended to Mrs. Grace Ramsey, President of Mitchell College at Statesville, N. C.



The President extends the courtesies of the galleries to the students of the Eighth Grade of Needham Broughton High School, and their teacher, Miss Mary Hester of Roxboro, N. C.

The President extends the courtesies of the floor to former Lieutenant Governor W. P. Horton of Chatham County.

Upon motion of Senator Cherry, S. B. 336, a bill to authorize the Governor and Council of State to allocate additional funds from the contingency and emergency fund to Pembroke State College for Indians for the next biennium, is taken from the unfavorable Calendar and re-referred to the Committee on Calendar.

Upon motion of Senator Benton, S. B. 325, a bill to increase the appropriation for public libraries in North Carolina, is taken from the unfavorable Calendar and re-referred to the Committee on Calendar.

#### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 19, an act to amend and supplement the Revenue Act of 1939, the same being Chapter 158 of the Public Laws of North Carolina, Session of 1939, as amended and supplemented by Chapters 50, 204 and 331 of the Public Laws of North Carolina, Session of 1941, and as otherwise amended.

H. R. 511, a joint resolution empowering the Governor to appoint a special commission for the purpose of studying the possibilities of the perpetual preservation of the birthplace and homestead of Governor Zebulon Baird Vance.

S. B. 109, an act to repeal Chapter 133 of the Public Local Laws of 1941, same being "An Act to extend the corporate limits of the city of Gastonia so as to take in the airport in West Gastonia."

S. B. 158, an act to amend Chapter 107 of the Public Local and Private Laws of 1931, entitled "An Act to amend Chapter 395 of the Public Local Laws of 1909 and all Acts amendatory thereof, relating to the city charter of the city of High Point."

S. B. 330, an act to provide for rural police in Brunswick County in discretion of county commissioners.

H. B. 233, an act to reimburse William W. Hensley of Rutherford County for damages to his automobile through collision with a school bus in October, 1942.

H. B. 234, an act to reimburse Mrs. Worth Johnson, the former Miss Verna Ree Allen, for injuries sustained in a collision with a school bus on July 29, 1941.

H. B. 251, an act to reimburse W. Stanley Kearney, Route 1, Wake Forest, North Carolina, on account of the death of Richard Earl Kearney, a school child, who was struck and killed by a school bus on April 14, 1941.

H. B. 282, an act designating the number of district school committeemen in Yancey County by amending Chapter 196 of the Public Local Laws of 1941.

H. B. 395, an act to amend Chapter 137 of the Public Local Laws of 1935, as amended, by Chapter 267 of the Public Local Laws of 1937, relating to the salary of the clerk of the Superior Court of Franklin County and to the salary and appointment of deputy clerks of said court.

H. B. 406, an act to clarify sundry sections of the law relating to the Prison Department of the State Highway and Public Works Commission as set forth in Chapter 148 of the General Statutes.

H. B. 407, an act to clarify sundry sections of the law relating to the State Highway and Public Works Commission as set forth in Chapter 136 of the General Statutes.

H. B. 471, an act to amend Section 76 of the Consolidated Statutes, relating to conveyances of real estate by the heirs or devisees of a decedent.

H. B. 510, an act to authorize a loan to the Atlantic and North Carolina Railroad Company if found necessary by the Governor and Council of State for part payment of the cost of the rehabilitation of the road-bed, track and structures and other properties of said railroad, and to authorize the issuance of State bonds to provide for the cost thereof.

H. B. 517, an act to provide that the Secretary of State shall cause to be published and distributed a volume containing an index to laws relating to the various counties of the State and the cities and towns therein.

H. B. 527, an act to amend Chapter 382 of the Private Laws of 1911 of North Carolina, relating to compensation of members of board of aldermen, of the town of Spencer in Rowan County.

H. B. 560, an act to amend Chapter 289 of the Public Local Laws of 1941, regulating the sheriff's department of Rutherford County, to provide for payment of salaries and expenses of deputy sheriffs.

H. B. 568, an act to reimburse Roy Hole of Stokes County for damages to his pick-up truck through collision with a school bus in December, 1941.

H. B. 597, an act to authorize the board of county commissioners of Pasquotank County to make additional appropriations after the adoption of the budget in any fiscal year.

H. B. 602, an act to permit the county of Guilford to accept deeds for real estate in payment of taxes due thereon in lieu of foreclosure of tax lien and to sell such property.

H. B. 610, an act to incorporate the town of Harrells Store in Sampson County.

H. B. 615, an act to amend Chapter 158, Private Laws, Session 1933, so as to extend the time for the payment of special assessments for local improvements in the town of Morehead City.

H. B. 627, an act to provide for the distribution of profits from alcoholic beverage control stores in Washington County.

H. B. 646, an act to amend Chapter 75 of the Public Laws of 1933, regulating fees in Harnett County, to increase the sheriff's fee for an arrest.



## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Carlyle, for the Committee on Calendar:

H. B. 324, a bill to amend Chapter 288 of the Public Laws of 1937, as amended, by Chapter 395 of the Public Laws of 1939 and Chapter 232 of the Public Laws of 1941 for the purpose of correcting certain errors therein relating to old age assistance and aid to dependent children, with a favorable report.

H. B. 388, a bill to create an alcoholic beverage control board and to provide for the control of the sale of alcoholic beverages in Halifax County, with a favorable report.

Upon motion of Senator Johnson of Halifax, the bill is placed upon today's Calendar.

H. B. 658, a bill to authorize and empower the judge of the recorder's court to appoint an assistant judge of the recorder's court of said county, with an unfavorable report.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Currie: S. B. 345, a bill to discontinue certain terms of Superior Court in Moore County and provide for trial of uncontested divorce cases at any criminal term of Superior Court of said county by consent of the presiding judge.

Referred to Committee on Calendar.

By Senator Evans: S. B. 346, a bill to amend Chapter 102 of the Public Local Laws of 1939, being "An Act to fix the salary of the coroner of the county of Pasquotank."

Referred to Committee on Calendar.

By Senator Cherry: S. B. 347, a bill to regulate the release and hunting of foxes in Southpoint Township of Gaston County.

Upon motion of Senator Cherry, the rules are suspended and the bill is taken up for immediate consideration.

Passes its second and third readings and is ordered sent to the House of Representatives.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

S. R. 270, a joint resolution to provide for a commission on statutory revision, for concurrence in the House amendment.

The bill is placed upon the Calendar.

S. B. 29, a bill to amend the Constitution providing for the organization of the State Board of Education, for concurrence in the House amendment.

The bill is placed upon the Calendar.

S. B. 132, a bill authorizing counties to establish capital reserve funds, for concurrence in the House amendment.

The bill is placed upon the Calendar.

H. B. 29, a bill to provide for terms of Superior Court for McDowell County.

Referred to Committee on Calendar.

H. B. 300, a bill to amend Chapter 227 of the Public Laws of 1941, reducing the minimum fee for truck licenses bearing farmer plates, and to broaden the definition of farmer therein.

Referred to Committee on Calendar.

H. B. 545, a bill to amend Chapter 144 of the Public Local and Private Laws of 1937 and Chapter 231 of the Public Local and Private Laws of 1939, relating to civil service commission of the city of High Point.

Referred to Committee on Calendar.

H. B. 557, a bill to amend Section 934 of the Consolidated Statutes, providing for appointment of two assistant clerks of the Superior Court of New Hanover County.

Referred to Committee on Calendar.

H. B. 662, a bill to amend Chapter 366 of the Public Local Laws of North Carolina of 1939, same being "An Act to continue the incorporation of the city of Charlotte and to codify, amend and consolidate the Statutes that constitute the charter of the city of Charlotte, and to repeal certain acts and portions of certain acts constituting a part of its present charter."

Referred to Committee on Calendar.

H. B. 574, a bill to amend Chapter 460 of the Public Local Laws of 1931, as amended, relating to the peace officer's relief fund of the county of Pitt.

Referred to Committee on Calendar.

H. B. 583, a bill to appoint seven members to the board of education of Iredell County for a term of four years; to limit the membership of said board to five thereafter and to make their terms of office four years.

Referred to Committee on Calendar.

H. B. 648, a bill to validate the official acts of the board of county commissions of Yadkin County relative to certain investments of sinking funds in Forsyth County real estate.

Referred to Committee on Calendar.

H. B. 667, a bill to fix the fees of the coroner of Chatham County.

Referred to Committee on Calendar.

H. B. 669, a bill to amend the charter of the city of High Point, relating to bonds of the city of High Point.

Referred to Committee on Calendar.

H. B. 671, a bill to authorize and empower the board of aldermen of the city of Elizabeth City in Pasquotank County to fix the salaries of all city employees in such amounts as said board may deem just and proper.

Referred to Committee on Calendar.

H. B. 676, a bill to amend Chapter 158 of the Public Laws of 1939,



the same being the Revenue Act of 1939, as amended, relating to the method of payment of the wholesale tax on wine.

Referred to Committee on Calendar.

H. B. 677, a bill to amend Chapter 158 of the Public Laws of 1939, as amended, the same being the Revenue Act of 1939, relating to the tax on unfortified wines.

Referred to Committee on Calendar.

H. B. 698, a bill to allow the clerk of the Superior Court of Mitchell County \$150.00 for each term of court, not to exceed three terms, for the hire of clerical assistance.

Referred to Committee on Calendar.

H. B. 705, a bill to fix the compensation of members of the county board of charities and public welfare in Brunswick County.

Referred to Committee on Calendar.

H. B. 716, a bill to amend Section 956 of the Consolidated Statutes of North Carolina, as amended, relating to annual reports made by clerks of the Superior Court.

Referred to Committee on Calendar.

H. B. 717, a bill to authorize the city of Raleigh to appoint a special humane officer for the purpose of enforcing laws for the prevention of cruelty to animals.

Referred to Committee on Calendar.

H. B. 692, a bill to validate certain acts of the governing body of the city of Charlotte with respect to special assessments.

Referred to Committee on Calendar.

H. B. 718, a bill authorizing the clerk of the Superior Court of Wake County to appoint two assistant clerks.

Referred to Committee on Calendar.

H. B. 723, a bill relating to the clerk of the Superior Court of Hertford County.

Referred to Committee on Calendar.

H. B. 720, a bill to amend Chapter 357 of the Public Laws of 1941, so as to exempt the county of Catawba and the municipalities therein from the referendum provision of the North Carolina Local Governmental Employees Retirement System.

Referred to Committee on Calendar.

H. B. 728, a bill to provide for a survey of certain property and State waters in Currituck County.

Referred to Committee on Calendar.

H. B. 730, a bill relative to the tenure of office of the mayor and members of the board of aldermen of the town of East Spencer.

Referred to Committee on Calendar.

H. B. 732, a bill relating to the prevention of cruelty to animals in Wake County.

Referred to Committee on Calendar.

H. B. 734, a bill to amend Section 6126 (a) of the Consolidated Statutes of North Carolina by extending its provisions to Craven County.

Referred to Committee on Calendar.

H. B. 735, a bill to authorize the trustees of Greensboro City Ad-

ministrative Unit to sell unnecessary public school property and dispose of the proceeds.

Referred to Committee on Calendar.

H. B. 727, a bill for the beautification and maintenance of cemeteries within the town of Graham.

Referred to Committee on Calendar.

H. B. 741, a bill to provide for the appointment of trustees for the Andrews City Administrative School Unit in Cherokee County.

Referred to Committee on Calendar.

H. B. 743, a bill to repeal Chapter 9, Private Laws, 1917, relating to the corporate limits of the town of Franklin.

Upon motion of Senator Whitaker, the bill is placed upon the Calendar.

H. R. 768, a joint resolution to investigate the books and records of the State Board of Cosmetic Art Examiners.

Referred to Committee on Calendar.

H. R. 769, a joint resolution memorializing electors of the Hall of Fame of New York University with reference to Sidney Lanier.

Upon motion of Senator McKee, the resolution is taken up for immediate consideration.

Upon motion of Senator McKee, the resolution is postponed indefinitely.

S. B. 26, a bill authorizing cities and towns to establish capital reserve funds, for concurrence in the House amendment.

The bill is placed upon the Calendar.

H. B. 809, a bill to amend H. B. 446, relating to the salaries and duties of public officers in Northampton County.

Referred to Committee on Calendar.

S. B. 75, a bill to amend Chapter 326 of the Public Laws of 1935, authorizing the Commissioner of Labor with the approval of the Director of the Budget to fix the salary of the Chief Boiler Inspector, for concurrence in the House amendment.

The bill is placed upon the Calendar.

S. B. 144, a bill to amend Chapter 130 of the Public Laws of North Carolina of 1935, relating to the registration of deeds and other instruments, for concurrence in the House amendment.

The bill is placed upon the Calendar.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 331, a bill to authorize the commissioners of Jackson County to levy a special hospital tax, upon third reading.

The bill passes its third reading by roll call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Benton, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wallace, Watkins, Watson, Weathers, Wilson—39.

The bill is ordered sent to the House of Representatives.



H. B. 417, a bill to amend the charter of the city of New Bern, upon third reading.

The bill passes its third reading by roll call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Benton, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wallace, Watkins, Watson, Weathers, Wilson—39.

The bill is ordered enrolled.

H. B. 453, a bill to validate certain bonds heretofore issued by Franklinton Township and by Louisburg Township in Franklin County and to authorize the issuance of refunding bonds, upon third reading.

The bill passes its third reading by roll call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Benton, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wallace, Watkins, Watson, Weathers, Wilson—39.

The bill is ordered enrolled.

H. B. 501, a bill to amend the charter to extend the corporate limits of the city of New Bern, upon second reading.

The amendment offered by the Committee, held not to be material, is adopted.

The bill, as amended, passes its second reading by roll call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Benton, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Halifax, Larkins, Leary, Matheny, Mitchell, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wallace, Watkins, Watson, Weathers, Wilson—39.

S. B. 342, a bill relating to the salaries of certain officers of Harnett County.

Senator Chaffin offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives without engrossment.

S. B. 343, a bill to amend Chapter 457 of the Public Local Laws of 1939, relating to the recorder's court of the town of Dunn, to provide for salaries for officials of the court.

Upon motion of Senator Chaffin, the bill is laid upon the Table.

S. B. 344, a bill to amend Section 1403 of Chapter 310 of the Public Laws of 1939, relating to discounts and penalties to provide a schedule of discounts and penalties on poll and property taxes for the county of Surry, the town of Mount Airy and the town of Elkin.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 371, a bill to prevent public drunkenness in Currituck County. Passes its second and third readings and is ordered enrolled.

H. B. 556, a bill to amend Section 1443 of the Consolidated Statutes of 1919, as amended, relating to the several terms of Superior Court for Union County.

Passes its second and third readings and is ordered enrolled.

H. B. 659, a bill to require the board of education of Currituck County to convey certain property located in the village of Shawboro to a board of trustees for public purposes.

Passes its second and third readings and is ordered enrolled.

H. B. 678, a bill relating to the reindexing of records of real estate conveyances and judgments in Northampton County and to prescribe periods for the commencement of actions on account of negligence, inaccuracies, errors or omissions in the supervision or preparation of the new indexes.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 682, a bill to amend Chapter 258 of the Public Local Laws of 1941, relative to the conveyance of the Powells Point School property by the board of education of Currituck County for use as a community center.

Passes its second and third readings and is ordered enrolled.

H. B. 742, a bill to authorize the board of county commissioners of Gaston County to regulate the release and the hunting of foxes in Gaston County.

Upon motion of Senator Cherry, the bill is laid upon the Table.

H. B. 292, a bill to amend Section 2787 of the Consolidated Statutes, as amended, Chapter 52 of the Public Laws of 1935, and Chapter 407 of the Public Laws of 1937, to grant to cities and towns the power to regulate and control drivers and operators of taxicabs and to tax vehicles used as taxicabs, upon third reading.

The bill passes its third reading by roll call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Benton, Brock, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Halifax, Larkins, Leary, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—40.

The bill is ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 370, a bill authorizing counties to promote and protect the public health by the drainage of streams, and to authorize the levy of taxes therefor, upon third reading.

The bill passes its third reading by roll call vote, ayes 36, noes 1, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Benton, Brock, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Evans, Farthing, Graham, Gregory, Hodges, Horton, Hudgins, Johnson of



Halifax, Larkins, Mitchell, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—36.

Those voting in the negative are: Senator Sanders—1.

The bill is ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 116, a bill to amend Chapter 456 of the Public Laws of 1935, as amended, known as "The Housing Authorities Law," relating to the creation of Housing Authorities to engage in slum clearance and projects to provide dwelling accommodations for persons of low income (including farmers of low income) and to define their powers, upon second reading.

The bill passes its second reading by roll call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Barbar, Barker, Benton, Brock, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Halifax, Larkins, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—41.

H. B. 490, a bill to amend Chapter 407 of the Public Laws of 1937, as amended, relating to the registration of motor vehicles and the payment of fees therefor, upon second reading.

The amendment offered by the Committee, held not to be material, is adopted.

The bill, as amended, passes its second reading by roll call vote, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Benton, Brock, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Halifax, Larkins, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—41.

S. B. 308, a bill to amend Chapter 103 of the Consolidated Statutes of 1919, relating to the method of commitment to hospitals for insane.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives without engrossment.

S. B. 337, a bill to amend Sections 5735 and 5737 of Volume 3 of the Consolidated Statutes and Chapter 359 of the Public Laws of 1931, relating to the terms of office and per diem of the members of the Textbook Commission on Elementary Textbooks and the State Committee on High School Textbooks.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. R. 339, a resolution expressing appreciation to the incorporators, officers and contributing members of North Carolina Textile Foundation, Incorporated.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 295, a bill to provide a method of absentee registering and voting, in time of war, by members of the land and naval forces absent from the place of their residence.

Passes its second and third readings and is ordered enrolled.

H. B. 346, a bill to amend Chapter 1 of the Public Laws of the Extra Session of 1936, as amended, known as the Unemployment Compensation Law.

Passes its second and third readings and is ordered enrolled.

H. B. 368, a bill to reimburse Lloyd Church of Avery County for medical and hospital expenses expended on behalf of his minor child for injuries caused by school bus.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 44, a bill to make more elastic the punishments for certain violations of the lottery and gaming laws of the State of North Carolina.

Senator O'Berry moves that the bill be laid upon the Table.

The motion fails to prevail.

Passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate substitute.

H. B. 388, a bill to create an alcoholic beverage control board and to provide for the control of the sale of alcoholic beverages in Halifax County.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Larkins, the Senate recesses to meet this afternoon at 3:30 o'clock.

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#### AFTERNOON SESSION

SENATE CHAMBER,  
Wednesday, March 3, 1943.

The Senate meets pursuant to recess, and is called to order by Lieutenant Governor R. L. Harris.

Upon motion of Senator Palmer, the courtesies of the lobby are extended to Mrs. E. A. Daniel, wife of Senator Daniel of Beaufort County.

Upon motion of Senator Palmer, Misses Isabelle Gibbs and Mary Long Daniel, daughters of Senator Daniel of Beaufort County, are made honorary pages of the Senate.

Upon motion of Senator Palmer, the courtesies of the lobby are extended to Luther E. Barnhart of Cabarrus County.

Upon motion of Senator Gregory, the courtesies of the lobby are extended to James Graham and his son, Charles Graham, of Rowan County.

Upon motion of Senator Daniel, H. B. 634, a bill to amend the charter of the town of Belhaven and to provide the method of electing the members of the board of aldermen, is recalled from the En-



rolling Office and the vote by which it passed its third reading is reconsidered and upon his motion the bill is laid upon the Table.

Upon motion of Senator Horton, H. B. 515, a bill to prohibit the establishment of secret organizations in the public schools of the State, is taken from the unfavorable Calendar and re-referred to the Committee on Calendar.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Ballentine, for the Committee on Agriculture:

S. B. 260, a bill to amend Sections 7758 and 7759 of the Consolidated Statutes so as to authorize the use of convicts on the State Test Farms and/or State Experimental Stations, with a favorable report.

The bill is placed upon today's Calendar.

By Senator Carlyle, for the Committee on Calendar:

S. B. 325, a bill to increase the appropriation for public libraries in North Carolina, with an unfavorable report.

S. B. 336, a bill to authorize the Governor and Council of State to allocate additional funds from the contingency and emergency fund to Pembroke State College for Indians for the next biennium, with a favorable report, as amended.

The bill is placed upon today's Calendar.

S. B. 345, a bill to discontinue certain terms of Superior Court in Moore County and provide for trial of uncontested divorce cases at any criminal term of Superior Court of said county by consent of the presiding judge, with a favorable report.

The bill is placed upon today's Calendar.

S. B. 346, a bill to amend Chapter 102 of the Public Local Laws of 1939, being "An Act to fix the salary of the coroner of the county of Pasquotank," with a favorable report.

The bill is placed upon today's Calendar.

H. B. 29, a bill to provide for terms of Superior Court for McDowell County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 300, a bill to amend Chapter 227 of the Public Laws of 1941, reducing the minimum fee for truck licenses bearing farmer plates, and to broaden the definition of farmer therein, with an unfavorable report.

H. B. 545, a bill to amend Chapter 144 of the Public Local and Private Laws of 1937 and Chapter 231 of the Public Local and Private Laws of 1939, relating to civil service commission of the city of High Point, with a favorable report.

Upon motion of Senator Hudgins, the bill is re-referred to the Committee on Calendar.

H. B. 557, a bill to amend Section 934 of the Consolidated Statutes, providing for appointment of two assistant clerks of the Superior Court of New Hanover County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 574, a bill to amend Chapter 460 of the Public Local Laws of 1931, as amended, relating to the peace officers' relief fund of the county of Pitt, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 583, a bill to appoint seven members to the board of education of Iredell County for a term of four years; to limit the membership of said board to five thereafter and to make their terms of office four years, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 648, a bill to validate the official acts of the board of county commissioners of Yadkin County relative to certain investments of sinking funds in Forsyth County real estate, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 662, a bill to amend Chapter 366 of the Public Local Laws of North Carolina of 1939, same being "An Act to continue the incorporation of the city of Charlotte and to codify, amend and consolidate the statutes that constitute the charter of the city of Charlotte, and to repeal certain acts and portions of certain acts constituting a part of its present charter," with a favorable report.

H. B. 667, a bill to fix the fees of the coroner of Chatham County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 671, a bill to authorize and empower the board of aldermen of the city of Elizabeth City in Pasquotank County to fix the salaries of all city employees in such amounts as said board may deem just and proper, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 676, a bill to amend Chapter 158 of the Public Laws of 1939, the same being the Revenue Act of 1939, as amended, relating to the method of payment of the wholesale tax on wine, with a favorable report.

H. B. 677, a bill to amend Chapter 158 of the Public Laws of 1939, as amended, the same being the Revenue Act of 1939, relating to the tax on unfortified wines, with a favorable report.

H. B. 692, a bill to validate certain acts of the governing body of the city of Charlotte with respect to special assessments, with a favorable report.

H. B. 701, a bill relating to penalties and interest of delinquent taxes, with an unfavorable report.

H. B. 703, a bill relating to the transfer of unexpended balances to the credit of any tax fund, at the expiration of the fiscal year, in Transylvania County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 705, a bill to fix the compensation of members of the county board of charities and public welfare in Brunswick County, with a favorable report.

H. B. 716, a bill to amend Section 956 of the Consolidated Statutes of North Carolina, as amended, relating to annual reports made by clerks of the Superior Courts, with a favorable report.

The bill is placed upon today's Calendar.



H. B. 717, a bill to authorize the city of Raleigh to appoint a special humane officer for the purpose of enforcing laws for the prevention of cruelty to animals, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 718, a bill authorizing the clerk of the Superior Court of Wake County to appoint two assistant clerks, with a favorable report.

H. B. 720, a bill to amend Chapter 357 of the Public Laws of 1941 so as to exempt the county of Catawba and the municipalities therein from the referendum provision of the North Carolina Local Governmental Employees Retirement System, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 723, a bill relating to the clerk of the Superior Court of Hertford County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 727, a bill for the beautification and maintenance of cemeteries within the town of Graham, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 730, a bill relative to the tenure of office of the mayor and members of the board of aldermen of the town of East Spencer, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 734, a bill to amend Section 6126 (a) of the Consolidated Statutes of North Carolina by extending its provisions to Craven County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 735, a bill to authorize the trustees of Greensboro City Administrative Unit to sell unnecessary public school property and dispose of the proceeds, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 741, a bill to provide for the appointment of trustees for the Andrews City Administrative School Unit in Cherokee County, with a favorable report.

The bill is placed upon today's Calendar.

H. R. 768, a joint resolution to investigate the books and records of the State Board of Cosmetic Art Examiners, with an unfavorable report.

H. B. 809, a bill to amend H. B. 446, relating to the salaries and duties of public officers in Northampton County, with a favorable report.

The bill is placed upon today's Calendar.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Taylor: S. B. 348, a bill to amend Chapter 107, Section 7 of the Public Laws of 1941 to regulate subsistence allowance for necessary travel expenses in connection with the work of departments, institutions or agencies of the State.

Referred to Committee on Calendar.

By Senator Johnson of Duplin: S. B. 349, a bill with reference to the Great Seal of the State and the seal of any department of the

State, and the seals of courts of record, amending Section 7650 of the Consolidated Statutes.

Referred to Committee on Calendar.

By Senator Bailey: S. B. 350, a bill to extend the term of office of the mayor and board of aldermen of the town of Canton, Haywood County, North Carolina, also the term of office of Charles R. Rhodarmmer and Goble McCracken, Beaverdam Township School Committee-men.

Referred to Committee on Calendar.

By Senators Johnson of Juplin, Taylor and O'Berry: S. R. 351, a joint resolution by the General Assembly of North Carolina providing for adjournment on Wednesday, March 10, 1943.

Upon motion of Senator Taylor, the rules are suspended and the resolution is taken up for immediate consideration.

Passes its second and third readings and is ordered sent to the House of Representatives by special messenger.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 18, a bill to amend the Machinery Act of 1939, the same being Chapter 310 of the Public Laws of 1939, as amended and supplemented by Chapters 36, 125, 221, 282 and 327 of the Public Laws of 1941, and as otherwise amended.

Referred to Committee on Calendar.

H. B. 673, a bill to amend Chapter 26 of the Private Laws of 1937, relating to the firemen's pension fund of the city of Wilmington.

Referred to Committee on Calendar.

H. B. 104, a bill to prohibit the operation of dance halls, pool tables, music vending machines, and to prohibit the sale of beer or wine on Sundays and during hours when religious services are being conducted on other days and to prohibit gambling within 500 yards of the Cabin Missionary Baptist Church and the Cabin Free Will Baptist Church in Duplin County.

Referred to Committee on Calendar.

H. B. 580, a bill to relieve the register of deeds of Wilson County of the duty of requiring a copy of the report of the clerk of the Superior Court with the board of county commissioners as to all public funds in the hands of said clerk of the Superior Court.

Referred to Committee on Calendar.

H. B. 584, a bill to amend Chapter 180 of the Public Local Laws of 1939, which is an Act to fix the salaries of officers of Yadkin County, to provide for clerical assistance for the clerk of the Superior Court and the register of deeds.

Referred to Committee on Calendar.

H. B. 635, a bill to provide that taxes which are three years or more delinquent shall, when collected, accrue to the benefit of and be deposited in the general and education funds of Madison County.

Referred to Committee on Calendar.

H. B. 736, a bill to validate certain appropriations and payments



made by officials of Guilford County to Guilford County War Price and Rationing Board and the Civilian Defense Volunteer Office of Guilford County and to authorize such appropriations and payments until July 1, 1945.

Referred to Committee on Calendar.

H. B. 744, a bill to amend Chapter 293 of the Public Local and Private Laws of 1941, relating to the establishment of a pension fund for the retirement and disability of members of the fire department of the city of High Point.

Referred to Committee on Calendar.

H. B. 745, a bill to amend Chapter 164 of the Private Laws of 1929, relating to the Greensboro Policemen's Retirement Fund.

Referred to Committee on Calendar.

H. B. 746, a bill to permit the county of Durham and the city of Durham to accept deeds for real estate in payment of taxes and special assessments due thereon in lieu of foreclosure of the tax lien or special assessment lien, and to resell such property.

Referred to Committee on Calendar.

H. B. 747, a bill governing the registration and preservation of maps, plats or other drawings of lands in Lincoln County.

Referred to Committee on Calendar.

H. B. 748, a bill to fix the compensation of the members of the board of county commissioners of Lincoln County.

Referred to Committee on Calendar.

H. B. 750, a bill to amend Section 1443 of the Consolidated Statutes of North Carolina, providing for terms of the Superior Court in the Twelfth Judicial District.

Referred to Committee on Calendar.

H. B. 751, a bill to authorize the clerk of the Superior Court of Gates County to fill vacancies occurring in the offices of judge and solicitor of the Gates County Recorder's Court.

Referred to Committee on Calendar.

H. B. 752, a bill to authorize the county commissioners of Gates County to pay a sum not to exceed \$400.00 per annum to the register of deeds for clerical assistance.

Referred to Committee on Calendar.

H. B. 753, a bill to amend Chapter 329 of the Public Laws of 1935, relating to the licensing of threshers, to require said law to be administered in Columbus County and in New Hanover County by the county farm agent.

Referred to Committee on Calendar.

H. B. 754, a bill to repeal Sections 2016, 2017, 2018 and 2019 of the Consolidated Statutes, relating to fishing on the Scuppernong River.

Referred to Committee on Calendar.

H. B. 755, a bill requiring the county accountant of Cherokee County to collect delinquent taxes.

Referred to Committee on Calendar.

H. B. 760, a bill to authorize the sheriff of Surry County, with the approval of the board of county commissioners, to employ additional clerical assistance, and to provide for the compensation of said clerical assistance.

Referred to Committee on Calendar.

H. B. 761, a bill to authorize the clerk of the Superior Court of Surry County to employ an additional deputy clerk and to provide for the compensation of said deputy clerk.

Referred to Committee on Calendar.

H. B. 762, a bill to validate sales of land for taxes in the county of Robeson and municipalities therein made during the years 1941 and 1942 and confirming settlements and adjustments of taxes heretofore made by the governing body of Robeson County and the governing body of the municipalities therein.

Referred to Committee on Calendar.

H. B. 766, a bill to reduce the salary of the county attorney and to prohibit the collection of commissions on delinquent tax sales in Franklin County.

Referred to Committee on Calendar.

H. B. 767, a bill to amend Chapter 367, Public Laws of 1941, relating to the terms of the Superior Court in Wake County.

Referred to Committee on Calendar.

H. B. 772, a bill to declare valid and legal the proceedings adopted by the board of commissioners of Wayne County with respect to the inclusion of Wayne County into the municipal corporate body and territorial jurisdiction of the Eastern Carolina Regional Housing Authority.

Referred to Committee on Calendar.

H. B. 773, a bill relating to the register of deeds of Hertford County.

Referred to Committee on Calendar.

H. B. 775, a bill to amend Chapter 398 of the Private Laws of 1905, as amended by Chapter 170 of the Private Laws of 1913, to provide for five commissioners instead of three for the town of Creedmoor.

Referred to Committee on Calendar.

H. B. 779, a bill to amend Sections 2651 and 2666 of the Consolidated Statutes, relating to elections in Graham.

Referred to Committee on Calendar.

H. B. 788, a bill appointing H. L. Fisher to fill a vacancy on the board of commissioners of the town of Mount Pleasant to succeed S. R. McEachern, resigned.

Referred to Committee on Calendar.

H. B. 792, a bill to empower the commissioners of the town of Wilson, North Carolina, to adjust past due assessments.

Referred to Committee on Calendar.

H. R. 814, a joint resolution expressing appreciation of the General Assembly for services rendered by the Institute of Government.

Referred to Committee on Calendar.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 324, a bill to amend Chapter 288 of the Public Laws of 1937 as amended by Chapter 395 of the Public Laws of 1939 and Chapter 232 of the Public Laws of 1941 for the purpose of correcting certain



errors therein relating to old age assistance and aid to dependent children.

Passes its second and third readings and is ordered enrolled.

S. B. 26, a bill authorizing cities and towns to establish capital reserve funds, for concurrence in the House amendment.

Upon motion of Senator O'Berry, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 29, a bill to amend the Constitution providing for the organization of the State Board of Education, for concurrence in the House amendment.

Upon motion of Senator O'Berry, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 75, a bill to amend Chapter 326 of the Public Laws of 1935, authorizing the Commissioner of Labor with the approval of the Director of the Budget to fix the salary of the chief boiler inspector, for concurrence in the House amendment.

Upon motion of Senator Evans, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 132, a bill authorizing counties to establish capital reserve funds, for concurrence in the House amendment.

Upon motion of Senator O'Berry, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 144, a bill to amend Chapter 130 of the Public Laws of North Carolina of 1935, relating to the registration of deeds and other instruments, for concurrence in the House amendment.

Upon motion of Senator Johnson of Halifax, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. R. 270, a joint resolution to provide for a commission on statutory revision, for concurrence in the House amendment.

Upon motion of Senator Pittman, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 345, a bill to discontinue certain terms of Superior Court in Moore County and provide for trial of uncontested divorce cases at any criminal term of Superior Court of said county by consent of the presiding judge.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 346, a bill to amend Chapter 102 of the Public Local Laws of 1939, being "An Act to fix the salary of the coroner of the county of Pasquotank."

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 29, a bill to provide for terms of Superior Court for McDowell County.

Passes its second and third readings and is ordered enrolled.

H. B. 557, a bill to amend Section 934 of the Consolidated Statutes, providing for appointment of two assistant clerks of the Superior Court of New Hanover County.

Passes its second and third readings and is ordered enrolled.

H. B. 574, a bill to amend Chapter 460 of the Public Local Laws

of 1931, as amended, relating to the peace officers' relief fund of the county of Pitt.

Passes its second and third readings and is ordered enrolled.

H. B. 583, a bill to appoint seven members to the board of education of Iredell County for a term of four years; to limit the membership of said board to five thereafter and to make their terms of office four years.

Passes its second and third readings and is ordered enrolled.

H. B. 648, a bill to validate the official acts of the board of county commissioners of Yadkin County relative to certain investments of sinking funds in Forsyth County real estate.

Passes its second and third readings and is ordered enrolled.

H. B. 667, a bill to fix the fees of the coroner of Chatham County.

Passes its second and third readings and is ordered enrolled.

H. B. 671, a bill to authorize and empower the board of aldermen of the city of Elizabeth City in Pasquotank County to fix the salaries of all city employees in such amounts as said board may deem just and proper.

Passes its second and third readings and is ordered enrolled.

H. B. 703, a bill relating to the transfer of unexpended balances to the credit of any tax fund, at the expiration of the fiscal year, in Transylvania County.

Passes its second and third readings and is ordered enrolled.

H. B. 717, a bill to authorize the city of Raleigh to appoint a special humane officer for the purpose of enforcing laws for the prevention of cruelty to animals.

Passes its second and third readings and is ordered enrolled.

H. B. 720, a bill to amend Chapter 357 of the Public Laws of 1941 so as to exempt the county of Catawba and the municipalities therein from the referendum provision of the North Carolina Local Governmental Employees Retirement System.

Passes its second and third readings and is ordered enrolled.

H. B. 723, a bill relating to the clerk of the Superior Court of Hertford County.

Passes its second and third readings and is ordered enrolled.

H. B. 727, a bill for the beautification and maintenance of cemeteries within the town of Graham.

Passes its second and third readings and is ordered enrolled.

H. B. 730, a bill relative to the tenure of office of the mayor and members of the board of aldermen of the town of East Spencer.

Passes its second and third readings and is ordered enrolled.

H. B. 734, a bill to amend Section 6126 (a) of the Consolidated Statutes of North Carolina by extending its provisions to Craven County.

Passes its second and third readings and is ordered enrolled.

H. B. 735, a bill to authorize the trustees of Greensboro City Administrative Unit to sell unnecessary public school property and dispose of the proceeds.

Senator Hudgins offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is



ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 741, a bill to provide for the appointment of trustees for the Andrews City Administrative School Unit in Cherokee County.

Passes its second and third readings and is ordered enrolled.

H. B. 809, a bill to amend H. B. 446, relating to the salaries and duties of public officers in Northampton County.

Passes its second and third readings and is ordered enrolled.

S. B. 260, a bill to amend Sections 7758 and 7759 of the Consolidated Statutes so as to authorize the use of convicts on the State Test Farms and/or State Experimental Stations.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 336, a bill to authorize the Governor and Council of State to allocate additional funds from the contingency and emergency fund to Pembroke State College for Indians for the next biennium.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives without engrossment.

H. B. 716, a bill to amend Section 956 of the Consolidated Statutes of North Carolina, as amended, relating to annual reports made by clerks of the Superior Court.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Johnson of Halifax, the Senate adjourns to meet tomorrow at 12 o'clock M.

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### FIFTIETH DAY

SENATE CHAMBER,  
Thursday, March 4, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C .P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Weathers, the courtesies of the lobby are extended to Doctor Frizelle of Durham, N. C.

Upon motion of Senator Poindexter, the courtesies of the galleries are extended to the students of the Fifth Grade of West End School of Henderson, N. C., and their teacher, Miss Sue Kelly.

Upon motion of Senator Wade, the courtesies of the lobby are extended to John A. Ornell, auditor for thirty years of New Hanover County.

The President extends the courtesies of the floor to Honorable Josephus Daniels.

Upon motion of Senator Clark, the courtesies of the lobby are extended to Mrs. D. Mac Johnson, wife of Senator Johnson of Halifax,

and their daughter, Miss Osee Mac Johnson.

Upon motion of Senator Wade, the courtesies of the lobby are extended to David Sinclair of Wilmington, N. C.

MESSAGE FROM THE GOVERNOR

The following message is received from His Excellency, Governor J. Melville Broughton:

Thursday, March 4, 1943.

*Mr. President and Members of the State Senate:*

Under the existing statutes relating to certain institutions and agencies of the State it is required that the Governor shall appoint boards of trustees or directors as terms expire or as vacancies may occur and that such appointments so made shall be submitted to the Senate at the next succeeding session of the General Assembly after such appointments are made.

In conformity with such statutory provision, I submit herewith a list of appointments to membership on the boards of the various institutions or agencies required by statute to be confirmed by the Senate. All of these appointments were made to fill vacancies by resignation or expiration of term occurring since the 1941 session of the General Assembly and prior to the beginning of the present session.

I respectfully ask that these appointments be confirmed by the Senate.

Respectfully submitted,

J. MELVILLE BROUGHTON, *Governor.*

WESTERN CAROLINA TEACHERS COLLEGE, CULLOWHEE

<i>Name</i>	<i>Address</i>	<i>For term expiring</i>
Mrs. D. H. Tillett	Andrews	May 1, 1945
Harry E. Buchanan	Hendersonville	May 1, 1945
Mrs. J. S. Silversteen	Brevard	May 1, 1945
D. Hiden Ramsey	Asheville	May 1, 1945
Glenn C. Palmer	Clyde, Route No. 1	May 1, 1945
Mrs. E. L. McKee	Sylva	May 1, 1945
E. E. Wheeler	Asheville	May 1, 1945
Frank Hyatt	Bryson City	May 1, 1945
Morgan Cooper	Forest City	May 1, 1945

PEMBROKE STATE COLLEGE FOR INDIANS, PEMBROKE

S. A. Hammonds	Lumberton, R. F. D.	April 1, 1945
Zeb A. Lowry	Pembroke	April 1, 1945
John R. Spalding	Rowland, R. F. D.	April 1, 1945
J. Oliver Brooks	Fairmont	April 1, 1945
John L. Carter	Pembroke, R. F. D.	April 1, 1945
Carl Manor	Pembroke, R. F. D.	April 1, 1945
Braxton Sampson	Pembroke, R. F. D.	April 1, 1945
Elias Harris	Pembroke, R. F. D.	April 1, 1945
Edmond Lowry	Elrod	April 1, 1945



## APPALACHIAN STATE TEACHERS COLLEGE, BOONE

<i>Name</i>	<i>Address</i>	<i>For term expiring</i>
G. P. Hagaman	Boone	April 1, 1945
Eugene Transou	Sparta	April 1, 1945
T. C. Bowie	W. Jefferson	April 1, 1945
Hugh Cranor	Wilkesboro	April 1, 1945
Mrs. E. F. Reid	Lenoir	April 1, 1945
V. D. Guire	Lenoir	April 1, 1945
Wade E. Brown	Boone	April 1, 1945
William J. Conrad, Jr.	Winston-Salem	April 1, 1945
W. M. Moore	Statesville	April 1, 1945

## STATE HOME AND INDUSTRIAL SCHOOL FOR GIRLS, SAMARCAND

Dr. W. A. Stanbury	Winston-Salem	April 15, 1945
Mrs. J. R. Page	Aberdeen	April 15, 1945
Capt. G. H. Maurice	Eagle Springs	April 15, 1945
F. M. Redd	Charlotte	April 15, 1945
Mrs. J. Wilbur Bunn	Raleigh	April 15, 1945
Dr. A. M. Proctor	Durham	April 15, 1945
W. Carl Buchanan	Broadway	April 15, 1945
Mrs. Mary Green Johnson	Lillington, R.F.D. No. 1	April 15, 1945
Mrs. Wilkins P. Horton	Pittsboro	April 15, 1945
Mrs. T. L. Caudle, Sr.	Wadesboro	April 15, 1945

## CASWELL TRAINING SCHOOL, KINSTON

Leonard L. Oettinger	Kinston	April 1, 1945
Rev. E. David Dodd	Norlina	April 1, 1945
S. H. Hicks	Snow Hill	April 1, 1945
Dr. W. C. Sutton	Richlands	April 1, 1945
Hugh G. Horton	Williamston	April 1, 1945
Dr. David J. Rose	Goldsboro	April 1, 1945
Sam Clark	Tarboro	April 1, 1945
Ben F. Pollock	Trenton	April 1, 1945
Mrs. R. L. McMillan	Raleigh	April 1, 1945

## NORTH CAROLINA COLLEGE FOR NEGROES, DURHAM

Dr. R. L. Flowers	Durham	April 1, 1945
Robert M. Gantt	Durham	April 1, 1945
W. Frank Taylor	Goldsboro	April 1, 1945
Roy Rowe	Burgaw	April 1, 1945
J. T. Pritchett	Lenoir	April 1, 1945
Dr. Edgar W. Knight	Chapel Hill	April 1, 1945
J. W. Noell	Roxboro	April 1, 1945
Ralph W. Gardner	Shelby	April 1, 1945
F. E. Wallace	Kinston	April 1, 1945
Capus Waynick	High Point	April 1, 1945
Oscar G. Barker	Durham	April 1, 1945
C. C. Spaulding	Durham	April 1, 1945

## WINSTON-SALEM TEACHERS COLLEGE FOR NEGROES, WINSTON-SALEM

<i>Name</i>	<i>Address</i>	<i>For term expiring</i>
H. E. Fries	Winston-Salem	June 5, 1945
John C. Whitaker	Winston-Salem	June 5, 1945
W. A. Blair	Winston-Salem	June 5, 1945
A. H. Eller (Deceased)	Winston-Salem	June 5, 1945
Robert W. Gorrell	Winston-Salem	June 5, 1945
Gordon Gray	Winston-Salem	June 5, 1945
Richard J. Reynolds	Winston-Salem	June 5, 1945
Harmon Linville	Kernersville	June 5, 1945
Robert M. Hanes	Winston-Salem	June 5, 1945
O. A. Kirkman	High Point	June 5, 1945

## STONEWALL JACKSON MANUAL TRAINING AND INDUSTRIAL SCHOOL,

## CONCORD

Luther T. Hartsell	Concord	April 10, 1945
Mrs. R. O. Everett	Durham	April 10, 1945
Mrs. Geo. E. Marshall	Mount Airy	April 10, 1945
W. A. Brown	Concord	April 10, 1945
Gordon C. Hunter	Roxboro	April 10, 1945
John T. Wall	Lilesville	April 10, 1945
John W. Wallace	Statesville	April 10, 1945
B. V. Hedrick	Salisbury	April 10, 1945
O. J. Sikes	Albemarle	April 10, 1945
Mrs. D. B. Smith	Charlotte	April 10, 1945
Herman Cone	Greensboro	April 10, 1945

## NORTH CAROLINA SCHOOL FOR THE DEAF, MORGANTON

W. W. Neal	Marion	April 1, 1945
W. M. Shuford	Concord	April 1, 1945
F. H. Coffey	Lenoir	April 1, 1945
H. L. Wilson	Morganton	April 1, 1945
Dr. Fred E. Motley	Charlotte	April 1, 1945
Dr. Howard E. Rondthaler	Winston-Salem	April 1, 1945
Otis A. Betts	Goldsboro	April 1, 1945

## NORTH CAROLINA SCHOOL FOR THE BLIND AND DEAF, RALEIGH

E. J. Britt	Lumberton	May 1, 1945
Alfred Williams, Jr.	Raleigh	(Resigned Oct. 9, 1942)
William A. Graham	Kinston	May 1, 1945
Mrs. W. H. Sullivan	Greensboro	May 1, 1945
Dr. W. A. Rogers	Franklin	May 1, 1945
W. G. Enloe	Raleigh	May 1, 1945
Dr. B. E. Reeves	W. Jefferson	May 1, 1945
Carroll W. Weathers	Raleigh	May 1, 1945
J. Edward Allen	Warrenton	May 1, 1945
George R. Bennett	Greensboro	May 1, 1945
Dr. Michael Saliba	Wilson	May 1, 1945



## STATE HOSPITAL FOR THE INSANE, RALEIGH

<i>Name</i>	<i>Address</i>	<i>For term expiring</i>
W. G. Clark	Tarboro	April 28, 1945
Mrs. Rivers D. Johnson	Warsaw	April 28, 1945
Dr. W. R. Stanford	Durham	April 28, 1945
J. Dwight Barbour	Clayton	April 28, 1945
V. M. Dorsett	Siler City	April 28, 1945
N. Edward Edgerton	Raleigh	April 28, 1945
Dr. J. B. Cranmer	Wilmington	April 28, 1945
Dr. John J. Bender	Red Springs (Granted leave absence)	
C. Wayland Spruill	Windsor	April 28, 1945
Roscoe D. McMillan	Red Springs	April 28, 1945
(Succeeding Bender)		

NORTH CAROLINA SANATORIUMS FOR THE TREATMENT OF TUBERCULOSIS,  
SANATORIUM, BLACK MOUNTAIN, WILSON

Dr. Eric Bell	Wilson	April 29, 1945
Robert M. Hanes	Winston-Salem	April 29, 1947
L. Lee Gravely	Rocky Mount	April 29, 1947
Carl C. Council	Durham	April 29, 1947
Ernest V. Webb	Kinston	April 29, 1947
Dr. Paul Ringer	Asheville	September 26, 1944
Edwin Pate	Laurinburg	April 29, 1945
Dr. J. R. Terry	Lexington	April 29, 1945
Dr. J. N. Britt	Lumberton	May 12, 1943

## EASTERN CAROLINA TEACHERS COLLEGE, GREENVILLE

John Herbert Waldrop	Greenville	June 30, 1942
(To succeed E. G. Flanagan)		

## STATE HOSPITAL FOR THE INSANE, MORGANTON

Harry L. Riddle	Morganton	July 27, 1945
J. H. Beall	Lenoir	July 27, 1945
Dr. G. S. Kirby	Marion	July 27, 1945
Harley B. Gaston	Belmont	July 27, 1945
Mrs. C. R. Bailey	Asheville	July 27, 1945
Dr. R. H. Cranford	Rutherfordton	July 27, 1945
Rex Gass	Winston-Salem	July 27, 1945
J. Luther Snyder	Charlotte	July 27, 1945
Dr. Chas. C. Poindexter	Greensboro	July 27, 1945

## STATE HOSPITAL FOR THE INSANE, GOLDSBORO

(No appointments)

## THE MORRISON TRAINING SCHOOL, NEGRO BOYS, HOFFMAN

(No appointments)

## FAYETTEVILLE STATE TEACHERS COLLEGE, FAYETTEVILLE

<i>Name</i>	<i>Address</i>	<i>For term expiring</i>
John H. Cook	Fayetteville	October 1, 1945
Maurice Fleishman	Fayetteville	October 1, 1945
Emil Rosenthal	Goldsboro	October 1, 1945
R. M. Lilly	Fayetteville	October 1, 1945
Dr. R. R. Taylor (Col.)	Wilmington	October 1, 1945
Col. Terry A. Lyon	Fayetteville	October 1, 1945
W. E. Horner	Sanford	October 1, 1945
Dr. W. L. McRae	Red Springs	October 1, 1945
J. L. Emmanuel	Raleigh	October 1, 1945

EASTERN CAROLINA INDUSTRIAL TRAINING SCHOOL FOR BOYS,  
ROCKY MOUNT

Richard T. Fountain	Rocky Mount	June 30, 1945
J. C. Braswell	Rocky Mount	June 30, 1945
J. L. Horne, Jr.	Rocky Mount	June 30, 1945
Mrs. R. S. McCoin	Henderson	June 30, 1945
Dr. C. F. Strosnider	Goldsboro	June 30, 1945
J. H. Blount	Greenville	June 30, 1945
Clyde A. Dillon	Raleigh	June 30, 1945
W. N. Harrell	Wilson	June 30, 1945

Upon motion of Senator Price, the Senate resolves itself into an Executive Session.

Senator Johnson of Duplin moves that the appointees submitted in the Governor's message be confirmed for the positions and for the terms indicated.

The motion prevails and the nominations are confirmed for the positions and the terms indicated.

Upon motion of Senator Price, the Executive Session is dissolved and the Senate proceeds with the public business.

## ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 66, an act to create a cemetery commission and to authorize the levying of a tax of ten cents on the \$100 worth of property when approved by the qualified voters of the town of Weldon, in Halifax County.

S. B. 71, an act to amend Section 16 of Chapter 33 of the Public Laws of 1929, relating to the commitment of veterans to United States Government Hospitals.

S. B. 93, an act to amend Consolidated Statutes, Section 5880, prescribing the qualifications of the superintendent of the State School for the Blind and Deaf at Raleigh.

S. B. 122, an act to amend Chapter 201 of the Private Laws of 1915, being the charter of the town of Warrenton.

S. B. 141, an act to amend Chapter 376 of the Private Laws of 1941



of North Carolina, changing the corporate limits of the town of Canton.

S. B. 148, an act to provide for a special election to determine the levy of a special annual tax in Alexander County for the establishment, maintenance and support of public libraries.

S. B. 159, an act to authorize the city of High Point to make additional appropriations after the adoption of the budget in any fiscal year.

S. B. 183, an act to amend Chapter 243 of the Private Laws of 1911, the charter of the city of Statesville, so as to increase the costs allowed in the mayor's court of the city of Statesville.

H. B. 294, an act to amend the retirement system for teachers and state employees with reference to prior service of certain State Highway and Public Works Commission employees.

H. B. 375, an act to amend Section 7 of Article XIV of the Constitution of North Carolina, relating to double office holding.

H. B. 388, an act to create an alcoholic beverage control board and to provide for the control of the sale of alcoholic beverages in Halifax County.

H. B. 397, an act to amend Section 6300 of the Consolidated Statutes of 1919, Volume 2, as amended, relating to the power of the Insurance Commissioner to revoke the license of an insurance agent.

H. B. 440, an act to create a municipal board of elections for the town of Boone in Watauga County.

H. B. 458, an act to repeal Chapter 442 of the Public Local Laws of 1941, relating to the auditing of funds of Mitchell County.

H. B. 469, an act to amend Section 996 of the Consolidated Statutes, relating to the revocation of deeds of future interests made to persons not in esse.

H. B. 476, an act for the relief of persons called into the armed service of the United States and into the merchant marine from liability to pay license taxes and fees.

H. B. 486, an act to amend Chapter 407 of the Public Laws of 1937, as amended, the same being the Motor Vehicle Act of 1937, relating to the extent of property damage in motor vehicle accidents required to be reported.

H. B. 488, an act to amend Chapter 396 of the Public Laws of 1937 to provide for certification of school bus drivers by representatives designated by the Commissioner of Motor Vehicles.

H. B. 506, an act to regulate the fees for appraisers of homestead and personal property exemptions in Durham County.

H. B. 508, an act to authorize the State Department of Agriculture to reimburse Jerry and Mildred Lee for medical and other expenses incurred in automobile collision with cattle belonging to said department.

H. B. 509, an act to authorize the issuance of bonds or notes of the State, when approved by the Governor and Council of State, for refunding or taking up the first mortgage bonds and certain indebtedness of the Atlantic and North Carolina Railroad.

H. B. 513, an act to amend Chapter 110 of the Consolidated Statutes

of 1919, as amended, relating to the granting of injunctions against the illegal practice of optometry.

H. B. 520, an act to amend Chapter 348 of the Public Local Laws of 1925, relating to the office of treasurer of Person County so as to provide for the election of a treasurer for Person County for a term of four years rather than for a term of two years.

H. B. 540, an act to regulate the expenditure of law enforcement funds by the Pasquotank County Alcoholic Beverages Control Board.

H. B. 541, an act to amend Section 1 of Chapter 48 of the Public Local Laws of 1931, to place the register of deeds on a salary basis.

H. B. 555, an act to amend Sections 1661 and 1659 of the Consolidated Statutes, and Chapter 100 of the Public Laws of 1937 (1659a), to change the residence requirement for divorce from one year to six months.

H. B. 563, an act to pay the hospital and medical expense for Sarah Lee Stanley, a minor child, for injuries caused by school bus.

H. B. 567, an act to permit and authorize the merger of building and loan associations.

H. B. 569, an act to make stock laws and laws concerning depredations of domestic fowls applicable to Nash County.

H. B. 575, an act to authorize the State Highway and Public Works Commission to furnish prison labor for farm work in certain emergencies.

H. B. 576, an act to authorize the Commissioner of Revenue to remit a certain part of the franchise taxes of the Atlantic and North Carolina Railroad Company.

H. B. 593, an act to provide for the compensation of the clerk of the recorder's court of Hamlet District, Richmond County.

H. B. 594, an act to fix the salary of the assistant clerk of the Superior Court of Haywood County.

H. B. 599, an act to fix certain fees of the register of deeds of Swain County.

H. B. 601, an act to amend Chapter 37, Private Laws of 1923, entitled "An Act to incorporate the city of Greensboro, to define its corporate limits, and to provide for its government; to repeal the present charter of the city of Greensboro except as provided herein; to provide for the control and support of the present Greensboro School District, and for other purposes," as amended.

H. B. 626, an act relating to officers' fees in connection with the State Liquor Laws in Montgomery County.

H. B. 628, an act to amend Section 2366 of the Consolidated Statutes, as amended, relative to the forfeiture of right of possession of land by tenant or cropper, by making same applicable to Davidson County.

H. B. 629, an act to authorize the county commissioners of Polk County to turn into the general fund all taxes collected for the year 1937, and all prior years.

H. B. 636, an act to place an additional penalty upon delinquent personal property taxes in Johnston County to defray expense of collection of said taxes and to pay for publishing list in newspaper.

H. B. 685, an act relative to the tenure of office of the mayor and members of the board of aldermen of the town of Rockwell, fixing



dates for primary election, time and procedure for filing notice of intention of becoming a candidate and time of registration period.

H. B. 691, an act validating all acts of the governing body of the city of Charlotte and the hospital board of the "Charlotte Memorial Hospital" consisting of nineteen members under an ordinance adopted by the governing body of the city of Charlotte on the 17th day of April, 1940, and under the amendments thereto.

H. B. 706, an act to authorize the board of county commissioners of Durham County to appoint an assistant treasurer and employ a clerk or stenographer, and assign the same to the office of the treasurer.

H. B. 721, an act to permit Catawba County and any municipality located therein to accept deeds for real property in payment of taxes or special assessments due thereon in lieu of foreclosure of the tax or assessment lien and to sell such property.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Johnson of Duplin, for the Committee on Judiciary No. 1:

S. B. 274, a bill to regulate the charges of agents and representatives collecting escheat claims from the University of North Carolina, with a favorable report.

The bill is placed upon today's Calendar.

By Senator Carlyle, for the Committee on Calendar:

S. B. 348, a bill to amend Chapter 107, Section 7 of the Public Laws of 1941, to regulate subsistence allowance for necessary travel expenses in connection with the work of departments, institutions or agencies of the State, with a favorable report.

The bill is placed upon today's Calendar.

S. B. 349, a bill with reference to the Great Seal of the State and the seal of any department of the State, and the seals of courts of record, amending Section 7650 of the Consolidated Statutes, with a favorable report.

The bill is placed upon today's Calendar.

S. B. 350, a bill to extend the term of office of the mayor and board of aldermen of the town of Canton, Haywood County, North Carolina, also the term of office of Charles R. Rhodarmer and Goble McCracken, Beaverdam Township School Committeemen, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 18, a bill to amend the Machinery Act of 1939, the same being Chapter 310 of the Public Laws of 1939, as amended and supplemented by Chapters 36, 125, 221, 282, and 327 of the Public Laws of 1941, and as otherwise amended, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 104, a bill to prohibit the operation of dance halls, pool tables, music vending machines, and to prohibit the sale of beer or wine on Sundays and during hours when religious services are being conducted on other days and to prohibit gambling within five hundred (500)

yards of the Cabin Missionary Baptist Church and the Cabin Free Will Baptist Church in Duplin County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 580, a bill to relieve the register of deeds of Wilson County of the duty of requiring a copy of the report of the clerk of the Superior Court with the board of county commissioners as to all public funds in the hands of said clerk of the Superior Court, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 635, a bill to provide that taxes which are three years or more delinquent shall, when collected, accrue to the benefit of and be deposited in the general and education funds of Madison County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 673, a bill to amend Chapter 26 of the Private Laws of 1937, relating to the Firemen's Pension Fund of the city of Wilmington, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 698, a bill to allow the clerk of the Superior Court of Mitchell County \$150.00 for each term of court, not to exceed three terms, for the hire of clerical assistance, with an unfavorable report.

H. B. 736, a bill to validate certain appropriations and payments made by officials of Guilford County to Guilford County War Price and Rationing Board and the Civilian Defense Volunteer Office of Guilford County and to authorize such appropriations and payments until July 1, 1945, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 744, a bill to amend Chapter 293 of the Public Local and Private Laws of 1941, relating to the establishment of a pension fund for the retirement and disability of members of the fire department of the city of High Point, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 745, a bill to amend Chapter 164 of the Private Laws of 1929, relating to the Greensboro Policemen's Retirement Fund, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 746, a bill to permit the county of Durham and the city of Durham to accept deeds for real estate in payment of taxes and special assessments due thereon in lieu of foreclosure of the tax lien or special assessment lien, and to resell such property, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 747, a bill governing the registration and preservation of maps, plats, or other drawings of lands in Lincoln County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 748, a bill to fix the compensation of the members of the board of county commissioners of Lincoln County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 750, a bill to amend Section 1443 of the Consolidated Statutes



of North Carolina, providing for terms of the Superior Court in the Twelfth Judicial District, with a favorable report, as amended.

The bill is placed upon today's Calendar.

H. B. 751, a bill to authorize the clerk of the Superior Court of Gates County to fill vacancies occurring in the offices of judge and solicitor of the Gates County Recorder's Court, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 752, a bill to authorize the county commissioners of Gates County to pay a sum not to exceed \$400.00 per annum to the register of deeds for clerical assistance, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 753, a bill to amend Chapter 329 of the Public Laws of 1935, relating to the licensing of threshers, to require said law to be administered in Columbus County and in New Hanover County by the County Farm Agent, with an unfavorable report.

H. B. 754, a bill to repeal Sections 2016, 2017, 2018 and 2019 of the Consolidated Statutes, relating to fishing on the Scuppernong River, with an unfavorable report.

Upon motion of Senator Sanders, the bill is taken from the unfavorable Calendar and placed upon today's Calendar.

H. B. 755, a bill requiring the county accountant of Cherokee County to collect delinquent taxes, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 760, a bill to authorize the sheriff of Surry County, with the approval of the board of county commissioners, to employ additional clerical assistance, and to provide for the compensation of said clerical assistance, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 761, a bill to authorize the clerk of the Superior Court of Surry County to employ an additional deputy clerk and to provide for the compensation of said deputy clerk, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 766, a bill to reduce the salary of the county attorney and to prohibit the collection of commissions on delinquent tax sales in Franklin County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 767, a bill to amend Chapter 367, Public Laws of 1941, relating to the terms of the Superior Court in Wake County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 772, a bill to declare valid and legal the proceedings adopted by the board of commissioners of Wayne County with respect to the inclusion of Wayne County into the municipal corporate body and territorial jurisdiction of the Eastern Carolina Regional Housing Authority, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 773, a bill relating to the register of deeds of Hertford County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 775, a bill to amend Chapter 398 of the Private Laws of 1905,

as amended by Chapter 170 of the Private Laws of 1913, to provide for five commissioners instead of three for the town of Creedmoor, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 779, a bill to amend Sections 2651 and 2666 of the Consolidated Statutes, relating to elections in Graham, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 788, a bill appointing H. L. Fisher to fill a vacancy on the board of commissioners of the town of Mount Pleasant to succeed S. R. McEachern, resigned, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 792, a bill to empower the commissioners of the town of Wilson, North Carolina, to adjust past due assessments, with a favorable report.

The bill is placed upon today's Calendar.

H. R. 814, a joint resolution expressing appreciation of the General Assembly for services rendered by the Institute of Government, with a favorable report.

The Resolution is placed upon today's Calendar.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Hudgins: S. R. 352, a resolution fixing the time and place for a Joint Session of the Senate and House of Representatives for the election of trustees of the Greater University of North Carolina and for the approval of appointments to the State Board of Education.

Upon motion of Senator Hudgins, the rules are suspended and the resolution is taken up for immediate consideration.

Passes its second and third readings and is ordered sent to the House of Representatives by special messenger.

By Senators Carlyle, Taylor, Matheny, Smith, O'Berry, Price and Sanders: S. B. 353, a bill to amend Chapter 97 of the Public Laws of 1941 by striking out Section 6 of said Chapter and inserting in lieu thereof a new Section 6, thereby making it legal for a majority of the members of the Utilities Commission to hear and pass upon matters coming before the Commission.

Referred to Committee on Calendar.

By Senators Carlyle, Taylor, Matheny, Smith, O'Berry, Sanders and Price: S. R. 354, a resolution commending Mrs. Edna Jones Harrell for her courteous and loyal service during the 1943 Session of the General Assembly.

Referred to Committee on Calendar.

By Senators Mitchell and McKee, by request: S. R. 355, a joint resolution authorizing the Governor to appoint a committee to study the problems of public safety education as it may be related to post-war travel.

Referred to Committee on Calendar.



## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 278, a bill to amend Section 6 of Chapter 132 of the Public Laws of 1937, relating to the appointment of the Director of Probation.

Referred to Committee on Calendar.

H. B. 352, a bill to amend Chapter 314 of the Public Laws of 1939, relating to the issuance of marriage licenses to persons previously adjudged of unsound mind.

Referred to Committee on Calendar.

H. B. 489, a bill to amend Chapter 136 of the Public Laws of 1927, to require payment of motor vehicle fees before approval by Utilities Commission of assignment, etc., of franchise certificate.

Referred to Committee on Calendar.

H. B. 491, a bill to amend Chapter 52 of the Public Laws of 1935, the same being the Uniform Drivers' License Act, so as to dispense with the necessity of a chauffeur's badge due to war restrictions on metal.

Referred to Committee on Calendar.

H. B. 562, a bill for the relief of Rommie R. Glover.

Referred to Committee on Calendar.

H. B. 572, a bill authorizing the board of commissioners of Transylvania County to levy special taxes for the expenses of the offices of county accountant, county farm agent, and county home demonstration agent, and for the expenses of Forest Fire Protection.

Referred to Committee on Calendar.

H. B. 585, a bill to amend Sections 2500, 2502, and 2504 of the Consolidated Statutes of 1919, relating to issuance of marriage licenses by registers of deeds, to provide for issuance of licenses in duplicate, and to require the signature of two witnesses on the return.

Referred to Committee on Calendar.

H. B. 589, a bill to provide for an extension of the corporate limits of the city of Wilmington, North Carolina.

Referred to Committee on Calendar.

H. B. 638, a bill to amend Section 8 of Article X of the Constitution of North Carolina, relating to deeds to homesteads, to provide for a vote of the people on the question of abolishing private examination of married women.

Referred to Committee on Calendar.

H. B. 674, a bill to create a retirement system for the employees of New Hanover County.

Referred to Committee on Calendar.

H. B. 737, a bill to permit the board of county commissioners of Guilford County, the tax levying authorities of Greensboro City Administrative unit to levy an additional tax upon the property in said administrative unit for the maintenance of plant and fixed charges therein.

Referred to Committee on Calendar.

H. B. 740, a bill to amend and extend the provisions of Chapter 408, Public Local Laws of North Carolina, Session 1915, same being "An Act to authorize the commissioners of Henderson County to levy a special hospital tax."

Referred to Committee on Calendar.

H. B. 763, a bill to amend Chapter 122 of the Public Laws of 1935, relating to the prevention of rabies in the State of North Carolina.

Referred to Committee on Calendar.

S. B. 107, a bill validating summons designated alias or pluries summons, though not actually such, on which judgments or other final decrees have been entered, for concurrence in the House amendment.

Upon motion of Senator Carlyle, the Senate concurs in the House amendment and the bill is ordered enrolled.

HOUSE OF REPRESENTATIVES,  
Thursday, March 4, 1943.

*Mr. President:*

It is ordered that a message be sent your Honorable Body requesting the return of H. B. 545, entitled "An Act to amend Chapter 144 of the Public Local and Private Laws of 1937 and Chapter 231 of the Public Local and Private Laws of 1939, relating to the Civil Service Commission of the city of High Point," for further consideration by the House of Representatives.

Respectfully,

SHEARON HARRIS, *Principal Clerk.*

Upon motion of Senator Hudgins, the bill is ordered returned to the House of Representatives.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 501, a bill to amend the charter to extend the corporate limits of the city of New Bern, upon third reading.

The bill passes its third reading by roll call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—45.

The bill is ordered returned to the House of Representatives for concurrence in the Senate amendments.

H. B. 662, a bill to amend Chapter 363 of the Public Local Laws of North Carolina of 1939, same being "An Act to continue the incorporation of the city of Charlotte and to codify, amend and consolidate the statutes that constitute the charter of the city of Charlotte, and to repeal certain acts and portions of certain acts constituting a part of its present charter," upon second reading.



The bill passes its second reading by roll call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—45.

H. B. 692, a bill to validate certain acts of the governing body of the city of Charlotte with respect to special assessments, upon second reading.

The bill passes its second reading by roll call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—45.

H. B. 743, a bill to repeal Chapter 9, Private Laws, 1917, relating to the corporate limits of the town of Franklin, upon second reading.

The bill passes its second reading by roll call vote, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson,—45.

H. B. 705, a bill to fix compensation of members of the county board of charities and public welfare in Brunswick County.

Passes its second and third readings and is ordered enrolled.

H. B. 116, a bill to amend Chapter 456 of the Public Laws of 1935, as amended, known as "The Housing Authorities Law," relating to the creation of housing authorities to engage in slum clearance and projects to provide dwelling accommodations for persons of low income (including farmers of low income) and to define their powers, upon third reading.

The bill passes its third reading by roll call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Brock, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Matheny, Mitchell, McKee, O'Berry, Pittman, Poindexter, Price, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—40.

The bill is ordered enrolled.

H. B. 490, a bill to amend Chapter 407 of the Public Laws of 1937, as amended, relating to the registration of motor vehicles and the payment of fees therefor, upon third reading.

The bill passes its third reading by roll call vote, ayes 40, noes 0 as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Brock, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Matheny, Mitchell, McKee, O'Berry, Pittman, Poindexter, Price, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—40.

The bill is ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 676, a bill to amend Chapter 158 of the Public Laws of 1939, the same being the Revenue Act of 1939, as amended, relating to the method of payment of the wholesale tax on wine, upon second reading.

The bill passes its second reading by roll call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Brock, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—44.

H. B. 677, a bill to amend Chapter 158 of the Public Laws of 1939, as amended, the same being the Revenue Act of 1939, relating to the tax on unfortified wines, upon second reading.

The bill passes its second reading by roll call vote, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Brock, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—44.

Upon motion of Senator Larkins, the Senate recesses to meet this afternoon at 1:15 o'clock.

#### AFTERNOON SESSION

SENATE CHAMBER,  
Thursday, March 4, 1943.

The Senate meets pursuant to recess, and is called to order by Lieutenant Governor R. L. Harris.

Upon motion of Senator Mitchell, the courtesies of the lobby are extended to J. Wesley Jones, Mayor, Elkert Shelton and Allen Mills, Jr., City Alderman, A. E. Guy, City Clerk, James A. Stewart, Assistant



Superintendent of City Light Department, John G. Lewis and Jim Thomas, all of Statesville, N. C.

Upon motion of Senator Mitchell, the courtesies of the floor are extended to former Representative John R. McLaughlin of Iredell County.

Upon motion of Senator Hudgins, S. B. 163, a bill amending Chapter 179, Public Laws of 1933, as amended, relative to beauty parlors, is taken from Committee on Judiciary No. 2 and re-referred to the Committee on Calendar.

Upon motion of Senator Sanders, H. B. 442, a bill to amend Chapter 441, Public Laws of 1931, relating to special levies in certain counties, is taken from the unfavorable Calendar and placed upon the Calendar.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senators Cherry, O'Berry, Barber, Horton, Taylor, Price and Johnson of Halifax: S. B. 356, a bill to amend Chapter 25 of the Public Laws of 1941, known and designated as the Teachers' and State Employees' Retirement Act.

Referred to Committee on Calendar.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 350, a bill to extend the term of office of the mayor and board of aldermen of the town of Canton, Haywood County, North Carolina, also the term of office of Charles R. Rhodarmer and Goble McCracken, Beavertown Township School Committeemen.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 580, a bill to relieve the register of deeds of Wilson County of the duty of requiring a copy of the report of the clerk of the Superior Court with the board of county commissioners as to all public funds in the hands of said clerk of the Superior Court.

Passes its second and third readings and is ordered enrolled.

H. B. 635, a bill to provide that taxes which are three years or more delinquent shall, when collected, accrue to the benefit of and be deposited in the general and education funds of Madison County.

Passes its second and third readings and is ordered enrolled.

H. B. 673, a bill to amend Chapter 26 of the Private Laws of 1937, relating to the Firemen's Pension Fund of the City of Wilmington.

Passes its second and third readings and is ordered enrolled.

H. B. 736, a bill to validate certain appropriations and payments made by officials of Guilford County to Guilford County War Price and Rationing Board and the Civilian Defense Volunteer Office of Guilford County and to authorize such appropriations and payments until July 1, 1945.

Passes its second and third readings and is ordered enrolled.

H. B. 744, a bill to amend Chapter 293 of the Public Local and Private Laws of 1941, relating to the establishment of a pension fund for the

retirement and disability of members of the fire department of the city of High Point.

Passes its second and third readings and is ordered enrolled.

H. B. 745, a bill to amend Chapter 164 of the Private Laws of 1929, relating to the Greensboro Policemen's Retirement Fund.

Passes its second and third readings and is ordered enrolled.

H. B. 104, a bill to prohibit the operation of dance halls, pool tables, music vending machines, and to prohibit the sale of beer or wine on Sundays and during hours when religious services are being conducted on other days and to prohibit gambling within five hundred (500) yards of the Cabin Missionary Baptist Church and the Cabin Free Will Baptist Church in Duplin County.

Passes its second and third readings and is ordered enrolled.

H. B. 746, a bill to permit the county of Durham and the city of Durham to accept deeds for real estate in payment of taxes and special assessments due thereon in lieu of foreclosure of the tax lien or special assessment lien, and to resell such property.

Passes its second and third readings and is ordered enrolled.

H. B. 747, a bill governing the registration and preservation of maps, plats, or other drawings of lands in Lincoln County.

Passes its second and third readings and is ordered enrolled.

H. B. 748, a bill to fix the compensation of the members of the board of county commissioners of Lincoln County.

Passes its second and third readings and is ordered enrolled.

H. B. 750, a bill to amend Section 1443 of the Consolidated Statutes of North Carolina, providing for terms of the Superior Court in the Twelfth Judicial District.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 751, a bill to authorize the clerk of the Superior Court of Gates County to fill vacancies occurring in the offices of judge and solicitor of the Gates County Recorder's Court.

Passes its second and third readings and is ordered enrolled.

H. B. 752, a bill to authorize the county commissioners of Gates County to pay a sum not to exceed \$400.00 per annum to the register of deeds for clerical assistance.

Passes its second and third readings and is ordered enrolled.

H. B. 754, a bill to repeal Sections 2016, 2017, 2018 and 2019 of the Consolidated Statutes, relating to fishing on the Scuppernong River.

Passes its second and third readings and is ordered enrolled.

H. B. 755, a bill requiring the county accountant of Cherokee County to collect delinquent taxes.

Passes its second and third readings and is ordered enrolled.

H. B. 760, a bill to authorize the sheriff of Surry County, with the approval of the board of county commissioners, to employ additional clerical assistance, and to provide for the compensation of said clerical assistance.

Passes its second and third readings and is ordered enrolled.



H. B. 761, a bill to authorize the clerk of the Superior Court of Surry County to employ an additional deputy clerk and to provide for the compensation of said deputy clerk.

Passes its second and third readings and is ordered enrolled.

H. B. 766, a bill to reduce the salary of the county attorney and to prohibit the collection of commissions on delinquent tax sales in Franklin County.

Passes its second and third readings and is ordered enrolled.

H. B. 767, a bill to amend Chapter 367, Public Laws of 1941, relating to the terms of the Superior Court in Wake County.

Passes its second and third readings and is ordered enrolled.

H. B. 772, a bill to declare valid and legal the proceedings adopted by the board of commissioners of Wayne County with respect to the inclusion of Wayne County into the municipal corporate body and territorial jurisdiction of the Eastern Carolina Regional Housing Authority.

Passes its second and third readings and is ordered enrolled.

H. B. 773, a bill relating to the register of deeds of Hertford County.

Passes its second and third readings and is ordered enrolled.

H. B. 775, a bill to amend Chapter 398 of the Private Laws of 1905, as amended by Chapter 170 of the Private Laws of 1913, to provide for five commissioners instead of three for the town of Creedmoor.

Passes its second and third readings and is ordered enrolled.

H. B. 779, a bill to amend Sections 2651 and 2666 of the Consolidated Statutes, relating to elections in Graham.

Passes its second and third readings and is ordered enrolled.

H. B. 788, a bill appointing H. L. Fisher to fill a vacancy on the board of commissioners of the town of Mount Pleasant to succeed S. R. McEachern, resigned.

Passes its second and third readings and is ordered enrolled.

H. B. 792, a bill to empower the commissioners of the town of Wilson, North Carolina, to adjust past due assessments.

Passes its second and third readings and is ordered enrolled.

H. B. 18, a bill to amend the Machinery Act of 1939, the same being Chapter 310 of the Public Laws of 1939, as amended and supplemented by Chapters 36, 125, 221, 282 and 327 of the Public Laws of 1941, and as otherwise amended, upon second reading.

The bill passes its second reading by roll call vote, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Brock, Carlyle, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Larkins, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—42.

S. B. 274, a bill to regulate the charges of agents and representatives collecting escheat claims from the University of North Carolina.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 348, a bill to amend Chapter 107, Section 7 of the Public Laws of 1941, to regulate subsistence allowance for necessary travel expenses in connection with the work of departments, institutions or agencies of the State.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 349, a bill with reference to the Great Seal of the State and the seal of any department of the State, and the seals of courts of record, amending Section 7650 of the Consolidated Statutes.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. R. 814, a joint resolution expressing appreciation of the General Assembly for services rendered by the Institute of Government.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Carlyle, the Senate adjourns in honor of the memory of Doctor Joshua Tayloe of Washington, N. C., to meet tomorrow morning at 11:30 o'clock.

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### FIFTY-FIRST DAY

SENATE CHAMBER,  
Friday, March 5, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Weathers, the courtesies of the lobby are extended to Mr. and Mrs. Roscoe Lutz and their son, Robert, of Shelby, N. C.

Upon motion of Senator Ballentine, the courtesies of the galleries are extended to the students of the Eighth Grade of Needham Broughton High School of Raleigh, N. C., and their teacher, Mrs. Veston T. Banks.

Upon motion of Senator Ballentine, S. B. 262, a bill relating to withdrawal of deposits from the State Employees Credit Union, is taken from the Committee on Agriculture and re-referred to the Committee on Calendar.

Upon motion of Senator Farthing, H. B. 694, a bill to provide clerical assistance in the office of the sheriff, tax collector and treasurer of Alleghany County, is taken from the unfavorable Calendar and re-referred to the Committee on Calendar.

### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly



ratified and sent to the office of the Secretary of State:

S. R. 270, a joint resolution to provide for a commission on statutory revision.

S. B. 15, an act to establish procedure for issuance of a certificate of title to the heirs or devisees of land registered under Chapter 47 of the Consolidated Statutes of North Carolina, upon the death of the registered owner of same.

S. B. 26, an act authorizing cities and towns to establish capital reserve funds.

S. B. 29, an act to amend the Constitution providing for the organization of the State Board of Education.

S. B. 75, an act to amend Chapter 326 of the Public Laws of 1935, authorizing the Commissioner of Labor with the approval of the Director of the Budget to fix the salary of the chief boiler inspector.

S. B. 123, an act to amend Chapter 343 of the Public Laws of 1929, relating to domestic relations courts.

S. B. 126, an act to amend Section 3294 of the Consolidated Statutes of North Carolina for the year 1919, so as to add commissioners of oaths to officials before whom instruments may be proved or acknowledged.

S. B. 144, an act to amend Chapter 130 of the Public Laws of North Carolina of 1935, relating to the registration of deeds and other instruments.

S. B. 155, an act to permit executors, administrators c.t.a., trustees and guardians to invest certain funds held by them in the specified types of insurance.

S. B. 170, an act to amend Section 4925 (q) of Volume 3 of the Consolidated Statutes of North Carolina, as amended by Chapter 337 of the Public Laws of 1941.

S. B. 177, an act to amend Chapter 257, Public Laws of 1939, establishing the North Carolina Cape Hatteras Seashore Commission, and to provide for the continued functioning of same.

S. B. 180, an act to change the boundaries of Williams Township and South Williams Township election precincts in Columbus County by transferring Black Creek School District to South Williams Township precinct.

S. B. 187, an act to make it unlawful for any person to injure fire fighting apparatus in Harnett County.

S. B. 188, an act to amend Section 483 of the Consolidated Statutes of North Carolina, as amended, relating to the service of process in civil actions.

S. B. 198, an act to authorize the Governor and Council of State to cooperate and assist in the acquisition of additional land in connection with the Great Smoky Mountains National Park.

S. B. 203 an act to amend Section 7654 of the Consolidated Statutes, relating to the duties of Secretary of State so as to add an item covering custody and administration of official oaths.

S. B. 215, an act to amend Chapter 393 of the Public Laws of 1937, known as the Soil Conservation Districts Law, so as to provide per diem compensation and expense allowances for the supervisors pro-

vided for in said Act and to appropriate a sufficient amount to cover said per diem allowance and travel expenses.

S. B. 218, an act to repeal Chapter 318 of the Public Local Laws of 1939, relating to papers in the office of the clerk of the Superior Court of Alexander County.

S. B. 220, an act to amend Section 4785, Volume 2, of the Consolidated Statutes of 1919, being entitled "An Act to provide for the establishment of standard packages, grades, State brands, and for other purposes."

S. B. 234, an act to fix the compensation of the county commissioners and members of the board of education of Alexander County.

S. B. 236, an act to fix the salaries of certain deputy sheriffs of Duplin County.

S. B. 242, an act to amend Chapter 305 of the Public Local Laws of 1935, providing for adjustment of delinquent taxes by making said Chapter applicable to municipalities in Columbus County.

S. B. 243, an act to regulate the salaries of officials and employees of Columbus County.

S. B. 245, an act to repeal Chapter 327 of the Public Local Laws of 1935, relating to time of sale of land for taxes in Columbus County.

S. B. 251, an act to repeal Chapter 95 of the Public Local Laws of 1919, relative to the compensation of the cotton weigher of Cabarrus County and to amend Chapter 238 of the Public Laws of 1895 so as to fix the compensation of said cotton weigher.

S. B. 268, an act fixing and defining the term of the agricultural tenancy year in Johnston County.

S. B. 277, an act to fix the jury fees for all the recorder's courts of Robeson County.

S. B. 282, an act nullifying the collection of taxes levied for the years 1927 to 1936, inclusive, by the town of Canton, except where suit has been instituted thereon.

S. B. 287, an act to fix the salaries of certain officials of Warren County and to confer upon the board of commissioners of Warren County discretionary powers with respect to salaries.

S. B. 289, an act to amend Chapter 357 of the Public Laws of 1941, to exempt the city of Forest City in Rutherford County from Section 9A thereof.

S. B. 293, an act to regulate the salaries of the prosecuting attorneys and the recorders of the various recorders' court districts of Robeson County.

S. B. 299, an act to amend Chapter 160 of the Private Laws of 1925, as amended, the same being the charter of the town of Mount Airy, and to provide for the holding of a primary for nomination of candidates for the municipal election.

S. B. 301, an act to amend Article III, Section 11 of the Constitution, with reference to the compensation of the Lieutenant Governor.

S. B. 328, an act to amend Chapter 366 of the Public Local Laws of 1941, relating to the recorder's court of Edgecombe County, so as to increase the salaries of the recorder and prosecutor.



H. B. 62, an act to fix the salary of the Commissioner of Agriculture and the salary of the Commissioner of Labor.

H. B. 239, an act to amend Section 16 of Chapter 407 of the Public Laws of 1937 to exempt farm tractors and other farm vehicles from licensing and registration under the Motor Vehicle Law.

H. B. 254, an act to amend Section 1197 of the Consolidated Statutes of 1919, as amended by Chapter 223 of the Public Laws of 1937, relating to liens for labor and services, to provide for registered mortgages and deeds of trust.

H. B. 272, an act to amend an act known as "The North Carolina Workmen's Compensation Act," being Chapter 120, Public Laws of 1929, as amended, increasing benefits under Section 31, clarifying disfigurement provisions and increasing maximum weekly rate of compensation from \$18.00 to \$21.00.

H. B. 295, an act to provide a method of absentee registering and voting, in time of war, by members of the land and naval forces absent from the place of their residence.

H. B. 312, an act to prohibit the sale of cattle, swine or veal, by public auction except by weight determined at the time of sale, in Mecklenburg County.

H. B. 324, an act to amend Chapter 288 of the Public Laws of 1937, as amended by Chapter 395 of the Public Laws of 1939 and Chapter 232 of the Public Laws of 1941, for the purpose of correcting certain errors therein relating to old age assistance and aid to dependent children.

H. B. 371, an act to prevent public drunkenness in Currituck County.

H. B. 417, an act to amend the charter of the city of New Bern.

H. B. 453, an act to validate certain bonds heretofore issued by Franklinton Township and by Louisburg Township in Franklin County and to authorize the issuance of refunding bonds.

H. B. 480, an act to allow the payment of a salary of the jailer of Northampton County in lieu of fees.

H. B. 498, an act to extend the term of office of the treasurer of Gaston County and to provide for a four-year term for said treasurer.

H. B. 524, an act to appoint certain members of the boards of education of the respective counties of North Carolina, fix their terms of office, and limit compensation at State expense.

H. B. 537, an act to reduce the term of office of the judge of recorder's court of Brunswick County from four to two years, to fix the salary of the said judge and to repeal Chapter 327 of the Public Local Laws of 1939.

H. B. 542, an act to authorize the Governor and Secretary of State to execute a deed reconveying real estate erroneously conveyed to Stonewall Jackson Manual Training and Industrial School by J. T. Kennedy.

H. B. 557, an act to amend Section 934 of the Consolidated Statutes, providing for appointment of two assistant clerks of the Superior Court of New Hanover County.

H. B. 564, an act to amend Chapter 322 of the Public Local Laws of 1900, relating to salaries in certain county offices, to provide discre-

tionary power in the board of county commissioners to regulate the salaries of the deputy clerk of the Superior Court and the deputy register of deeds of Iredell County.

H. B. 623, an act to amend Chapter 307, Public Local Laws of North Carolina, Session of 1941.

H. B. 659, an act to require the board of education of Currituck County to convey certain property located in the village of Shawboro to a board of trustees for public purposes.

H. B. 667, an act to fix the fees of the coroner of Chatham County.

H. B. 671, an act to authorize and empower the board of aldermen of the city of Elizabeth City in Pasquotank County to fix the salaries of all city employees in such amounts as said board may deem just and proper.

H. B. 679, an act regulating the salaries of certain officers of Wake County.

H. B. 703, an act relating to the transfer of unexpended balances to the credit of any tax fund, at the expiration of the fiscal year, in Transylvania County.

H. B. 712, an act to amend Chapter 141 of the Public Local Laws of 1925, as amended, relating to the office of purchasing agent, tax supervisor and bookkeeper for Surry County.

H. B. 716, an act to amend Section 956 of the Consolidated Statutes of North Carolina, as amended, relating to annual reports made by clerks of the Superior Courts.

H. B. 717, an act to authorize the city of Raleigh to appoint a special humane officer for the purpose of enforcing laws for the prevention of cruelty to animals.

H. B. 720, an act to amend Chapter 357 of the Public Laws of 1941 so as to exempt the county of Catawba and the municipalities therein from the referendum provision of the North Carolina Local Governmental Employees' Retirement System.

H. B. 730, an act relative to the tenure of office of the mayor and members of the board of aldermen of the town of East Spencer.

H. B. 734, an act to amend Section 6126 (a) of the Consolidated Statutes of North Carolina by extending its provisions to Craven County.

H. B. 741, an act to provide for the appointment of trustees for the Andrews City Administrative School Unit in Cherokee County.

H. B. 809, an act to amend H. B. 446, relating to the salaries and duties of public officers in Northampton County.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Carlyle, for the Committee on Calendar:

S. B. 163, a bill amending Chapter 179, Public Laws, 1933, as amended, relative to beauty parlors, with an unfavorable report.

S. B. 353, a bill to amend Chapter 97 of the Public Laws of 1941 by striking out Section 6 of said Chapter and inserting in lieu thereof a



new Section 6, thereby making it legal for a majority of the members of the Utilities Commission to hear and pass upon matters coming before the Commission, with a favorable report.

S. R. 354, a resolution commending Mrs. Edna Jones Harrell for her courteous and loyal service during the 1943 Session of the General Assembly, with a favorable report.

S. R. 355, a joint resolution authorizing the Governor to appoint a committee to study the problem of public safety education as it may be related to post-war travel, with a favorable report.

S. B. 356, a bill to amend Chapter 25 of the Public Laws of 1941, known and designated as the Teachers' and State Employees' Retirement Act, with a favorable report.

H. B. 278, a bill to amend Section 6 of Chapter 132 of the Public Laws of 1937, relating to the appointment of the director of probation, with a favorable report.

H. B. 352, a bill to amend Chapter 314 of the Public Laws of 1939, relating to the issuance of marriage licenses to persons previously adjudged of unsound mind, with an unfavorable report.

Upon motion of Senator Hodges, the bill is taken from the unfavorable Calendar and re-referred to the Committee on Calendar.

H. B. 489, a bill to amend Chapter 136 of the Public Laws of 1927, to require payment of motor vehicle fees before approval by Utilities Commission of assignment, etc., of franchise certificate, with an unfavorable report.

H. B. 491, a bill to amend Chapter 52 of the Public Laws of 1935, the same being the Uniform Drivers' License Act, so as to dispense with the necessity of a chauffeur's badge due to war restrictions on metal, with a favorable report.

H. B. 562, a bill for the relief of Rommie R. Glover, with an unfavorable report.

H. B. 572, a bill authorizing the board of commissioners of Transylvania County to levy special taxes for the expenses of the offices of county accountant, county farm agent, and county home demonstration agent, and for the expenses of forest fire protection, with a favorable report.

H. B. 589, a bill to provide for an extension of the corporate limits of the city of Wilmington, North Carolina, with an unfavorable report.

H. B. 638, a bill to amend Section 8 of Article X of the Constitution of North Carolina, relating to deeds to homesteads, to provide for a vote of the people on the question of abolishing private examination of married women, with a favorable report.

H. B. 674, a bill to create a retirement system for the employees of New Hanover County, with a favorable report.

H. B. 728, a bill to provide for a survey of certain property and State waters in Currituck County, with a favorable report.

H. B. 737, a bill to permit the board of county commissioners of Guilford County, the tax levying authorities of Greensboro City Administrative Unit to levy an additional tax upon the property in said administrative unit for the maintenance of plant and fixed charges thereon, with a favorable report.

H. B. 740, a bill to amend and extend the provisions of Chapter 408, Public Local Laws of North Carolina, Session 1915, same being "An Act to authorize the commissioners of Henderson County to levy a special hospital tax," with a favorable report.

H. B. 762, a bill to validate sales of land for taxes in the county of Robeson and municipalities therein made during the years 1941 and 1942 and confirming settlements and adjustments of taxes heretofore made by the governing body of Robeson County and the governing body of the municipalities therein, with a favorable report.

H. B. 763, a bill to amend Chapter 122 of the Public Laws of 1935, relating to the prevention of rabies in the State of North Carolina, with an unfavorable report.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 138, a bill to determine the nomination of all county offices in Avery County by a plurality of the votes cast by abolishing the second primary.

H. B. 141, a bill to authorize the Commissioner of Revenue to refund \$304.50 tax paid on gasoline used in stationary motors.

Referred to Committee on Calendar.

H. B. 153, a bill to amend Section 74 of the Consolidated Statutes of North Carolina, which provides for the sale of realty if personalty is insufficient for debts, so as to authorize the clerk of the Superior Court to pay the dower interest in cash unless the widow elects to receive the income therefrom.

Referred to Committee on Calendar.

H. B. 159, a bill to amend Section 2285 of the Consolidated Statutes of North Carolina, as amended, to authorize the appointment of a trustee instead of a guardian for any person adjudged insane, a lunatic, or an idiot, when such person is more than twenty-one years of age.

Referred to Committee on Calendar.

H. B. 321, a bill to amend Chapter 95 of the Consolidated Statutes of 1919, relating to the instruction of alcoholism and narcotism in the public schools of the State.

Referred to Committee on Calendar.

H. B. 361, a bill to regulate and fix the liability of tobacco warehousemen for liens on the tobacco sold at auction on warehouse floors.

Referred to Committee on Calendar.

H. B. 452, a bill to authorize any board of county commissioners and municipal authorities to aid in the war effort by contributions to local organizations of official State and Federal Governmental Agencies.

Referred to Committee on Calendar.

H. B. 499, a bill to amend Chapter 88 of the Public Laws of 1931, relating to evidence in civil actions arising out of motor vehicle accidents, so as to substitute "Commissioner of Motor Vehicles" for "Commissioner of Revenue."



Referred to Committee on Calendar.

H. B. 587, a bill to provide procedure for holding a special election on the question of further operating and maintaining the liquor stores at Southern Pines and Pinehurst, Moore County.

Referred to Committee on Calendar.

H. B. 605, a bill authorizing the board of county commissioners to exempt properties taken for military reservations and airports from taxation for the year 1943.

Referred to Committee on Calendar.

H. B. 645, a bill to authorize the commissioners of Burke County to reimburse Roy Morrison, former rural policeman, for money paid by him in settlement of claims of the estate of E. A. Beck, who was injured in a collision with a car operated by Roy Morrison while in the discharge of his official duties as rural policeman for Burke County, not to exceed \$1,000.00.

Referred to Committee on Calendar.

H. B. 690, a bill to amend Section 7109 of the Consolidated Statutes of 1919, as amended, relative to the registration of certificates of birth and death.

Referred to Committee on Calendar.

H. B. 786, a bill to exempt Johnston County from the operation of Section 1461 of the Consolidated Statutes, as amended.

Referred to Committee on Calendar.

H. B. 793, a bill to legalize and validate certain outstanding bonds of Hendersonville Graded School District and to provide for the refunding of said bonds.

Referred to Committee on Calendar.

H. B. 833, a bill to allow the hunting, chasing, trapping and killing of foxes, bears, and rabbits at any time within Gates County.

Referred to Committee on Calendar.

H. B. 69, a bill to require that preference be given to residents of Currituck County in the employment of teachers in Currituck County public schools.

Referred to Committee on Calendar.

H. B. 412, a bill to regulate privately owned cemeteries which are operated for private gain or profit.

Referred to Committee on Calendar.

H. B. 581, a bill to amend Section 76, Volume 1 of the Consolidated Statutes of 1919, as amended, relating to conveyances of real property of a decedent by the devisees, or heirs at law of such decedent.

Referred to Committee on Calendar.

H. B. 621, a bill authorizing the State School Commission to compensate J. H. Williams, father and guardian of Howard Williams and Elsie Williams, both minors, Mrs. Annie Kelbaugh, mother and guardian of Annie May Kelbaugh, a minor, Mrs. Effie Marcom, mother and guardian of Leonard Marcom, a minor, E. A. King, father and guardian of Weldon King, a minor, for personal injuries sustained by reason of a school bus wreck on March 21, 1941.

Referred to Committee on Calendar.

H. B. 633, a bill to amend Section 2308 of the Consolidated Statutes,

relating to interest on obligations due guardians, so as to make the rate of interest at least 4% and not more than the legal maximum.

Referred to Committee on Calendar.

H. B. 637, a bill to reimburse C. C. Hill for damages to a Ford pick-up truck caused by a school bus.

Referred to Committee on Calendar.

H. B. 660, a bill to amend Section 927 of the Consolidated Statutes, relating to the bond of clerks of the Superior Court.

Referred to Committee on Calendar.

H. B. 666, a bill to reimburse T. J. Gilliland for damages caused by a mule being struck and killed by a school bus.

Referred to Committee on Calendar.

H. B. 672, a bill to amend Chapter 158 of the Public Laws of 1939, as amended, the same being the Revenue Act of 1939, relating to the deduction of contributions from taxable income.

Referred to Committee on Calendar.

H. B. 680, a bill to regulate child labor in North Carolina by amending Chapter 317 of the Public Laws of 1937.

Referred to Committee on Calendar.

H. B. 686, a bill to authorize the Governor and Council of State to waive claim of State to compensation for lands claimed by individuals in the New River Marine Base area.

Referred to Committee on Calendar.

H. B. 687, a bill to amend the North Carolina Workmen's Compensation Act by making it applicable to members of the National Guard and the State Guard while at drill, in camp, and on special duty under orders of the Governor.

Referred to Committee on Calendar.

H. B. 693, a bill to authorize the State School Commission to reimburse Tom Jackson for damages to his automobile through collision with a school bus in Pitt County on February 23, 1943.

Referred to Committee on Calendar.

H. B. 700, a bill to amend Section 3484 of the Consolidated Statutes of North Carolina of 1919 so as to permit the Governor to appoint policemen for transportation companies.

Referred to Committee on Calendar.

H. B. 707, a bill to compensate the parents of Patsy Long Newman, a minor, for her death from injuries sustained through a negligent school bus wreck near Cary, Wake County, North Carolina.

Referred to Committee on Calendar.

H. B. 774, a bill to make certain provisions with respect to a recorder's court in the town of Elkin.

Referred to Committee on Calendar.

H. B. 780, a bill providing for tax sales on delinquent taxes for the years 1939, 1940, 1941 and 1942 in the town of Garysburg.

Referred to Committee on Calendar.

H. B. 783, a bill to amend Chapter 201 of the Public Laws of 1935, relating to the terms of Superior Court of Nash County.

Referred to Committee on Calendar.



H. B. 785, a bill to apply certain delinquent taxes of Carteret County to debt service purposes.

Referred to Committee on Calendar.

H. B. 795, a bill to amend the charter of the town of Morganton, changing the corporate name thereof to city of Morganton.

Referred to Committee on Calendar.

H. B. 802, a bill regulating the payment of witness fees to salaried officers in Lenoir County.

Referred to Committee on Calendar.

H. B. 808, a bill to fix the compensation of the board of commissioners of Brunswick County.

Referred to Committee on Calendar.

H. B. 812, a bill to repeal H. B. 415 as enacted by this Session of the General Assembly and ratified on the 25th day of February, 1943, which was entitled "An Act to relieve J. W. Cooper, former sheriff of Bertie County, and the estate of A. O. Askew, former deputy sheriff of Bertie County, from further liability for funds lost in defunct Citizens Bank of Windsor"; and to authorize and empower board of county commissioners of Bertie County to settle, on basis which will inure to best judgment, note of J. W. Cooper and A. O. Askew and collateral note of R. E. Tarkenton, and also liability of J. W. Cooper, former sheriff of Bertie County, and the estate of A. O. Askew, former deputy sheriff of Bertie County, from further liability for funds lost in defunct Citizens Bank of Windsor.

Referred to Committee on Calendar.

H. B. 816, a bill relating to the fees collected by the clerk of the Superior Court of Carteret County by amending Section 3903 of the Consolidated Statutes of 1919, and as amended.

Referred to Committee on Calendar.

H. B. 817, a bill relating to the salary of the surveyor of Carteret County.

Referred to Committee on Calendar.

H. B. 818, a bill to amend Section 1443 of the Consolidated Statutes of North Carolina, relating to the terms of the Superior Court, so as to change the terms in Franklin County.

Referred to Committee on Calendar.

H. B. 819, a bill to amend Section 2 of Chapter 26 of the Private Laws of 1935, relating to the appointment of the board of education for the Lexington City Administrative Unit.

Referred to Committee on Calendar.

H. B. 821, a bill relating to the board of trustees of the Haywood County Hospital.

Referred to Committee on Calendar.

H. B. 839, a bill to fix the penalty on delinquent taxes in Camden County at 6% per annum.

Referred to Committee on Calendar.

HOUSE OF REPRESENTATIVES,  
Thursday, March 4, 1943.

*Mr. President:*

It is ordered that a message be sent your Honorable Body requesting the return of H. B. 585, entitled "An Act to amend Sections 2500, 2502 and 2504 of the Consolidated Statutes of 1919, relating to issuance of marriage licenses to registers of deeds, to provide for issuance of licenses in duplicate, and to require the signature of two witnesses on the return," for further consideration by the House of Representatives.

Respectfully,

SHEARON HARRIS, *Principal Clerk.*

Upon motion of Senator Carlyle, the bill is ordered returned to the House of Representatives.

HOUSE OF REPRESENTATIVES,  
Friday, March 5, 1943.

*Mr. President:*

It is ordered that a message be sent your Honorable Body requesting the return of H. B. 584, entitled "An Act to amend Chapter 180 of the Public Local Laws of 1939, which is an act to fix the salaries of officers of Yadkin County to provide clerical assistance for the clerk of the Superior Court and the register of deeds," for further consideration by the House of Representatives.

Respectfully,

SHEARON HARRIS, *Principal Clerk.*

Upon motion of Senator Brock, the bill is ordered returned to the House of Representatives.

HOUSE OF REPRESENTATIVES,  
Thursday, March 4, 1943.

*Mr. President:*

It is ordered that a message be sent your Honorable Body with the information that the House has failed to concur in the Senate amendment to H. B. 678, entitled "An Act relating to the re-indexing of records of real estate conveyances and judgments in Northampton County and to prescribe periods for the commencement of actions on account of negligence, inaccuracies, errors or omission in the supervision or preparation of the new indexes," and asks for a Conference Committee. Pursuant to non-concurrence, Mr. Speaker Kerr has appointed as conferees on the part of the House to the end that the differences arising may be adjusted, Messrs. Harris, Umstead and Rabb.

Respectfully,

SHEARON HARRIS, *Principal Clerk.*

The President appoints as Conferees on the part of the Senate, Senators Poindexter and Johnson of Halifax and a message is ordered sent to the House of Representatives, informing that Body of such action.



## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 662, a bill to amend Chapter 366 of the Public Local Laws of North Carolina of 1939, same being "An Act to continue the incorporation of the city of Charlotte and to codify, amend and consolidate the statutes that constitute the charter of the city of Charlotte, and to repeal certain acts and portions of certain acts constituting a part of its present charter," upon third reading.

The bill passes its third reading by roll call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Halifax, Matheny, Mitchell, McKee, O'Berry, Pittman, Poindexter, Ruark, Sanders, Smith, Wade, Wallace, Watkins, Watson, Weathers, Whitaker—40.

The bill is ordered enrolled.

H. B. 692, a bill to validate certain acts of the governing body of the city of Charlotte with respect to special assessments, upon third reading.

The bill passes its third reading by roll call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Halifax, Matheny, Mitchell, McKee, O'Berry, Pittman, Poindexter, Ruark, Sanders, Smith, Wade, Wallace, Watkins, Watson, Weathers, Whitaker—40.

The bill is ordered enrolled.

H. B. 743, a bill to repeal Chapter 9, Private Laws, 1917, relating to the corporate limits of the town of Franklin, upon third reading.

The bill passes its third reading by roll call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Halifax, Matheny, Mitchell, McKee, O'Berry, Pittman, Poindexter, Ruark, Sanders, Smith, Wade, Wallace, Watkins, Watson, Weathers, Whitaker—40.

The bill is ordered enrolled.

H. B. 442, a bill to amend Chapter 441, Public Laws of 1931, relating to special levies in certain counties, upon second reading.

The bill passes its second reading by roll call vote, ayes 39, noes 1, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine,

Barber, Barker, Benton, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Halifax, Matheny, Mitchell, McKee, O'Berry, Pittman, Poindexter, Ruark, Sanders, Smith, Wade, Wallace, Watkins, Watson, Weathers, Whitaker—39.

Those voting in the negative are: Senator Graham—1.

H. B. 18, a bill to amend the Machinery Act of 1939, the same being Chapter 310 of the Public Laws of 1939, as amended and supplemented by Chapters 36, 125, 221, 282 and 327 of the Public Laws of 1941, and as otherwise amended, upon third reading.

The bill passes its third reading by roll call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Halifax, Matheny, McKee, O'Berry, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—40.

The bill is ordered enrolled.

H. B. 676, a bill to amend Chapter 158 of the Public Laws of 1939, the same being the Revenue Act of 1939, as amended, relating to the method of payment of the wholesale tax on wine, upon third reading.

The bill passes its third reading by roll call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Halifax, Matheny, McKee, O'Berry, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—40.

The bill is ordered enrolled.

H. B. 677, a bill to amend Chapter 158 of the Public Laws of 1939, as amended, the same being the Revenue Act of 1939, relating to the tax on unfortified wines, upon third reading.

The bill passes its third reading by roll call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Halifax, Matheny, McKee, O'Berry, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—40.

The bill is ordered enrolled.

#### SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:



HOUSE OF REPRESENTATIVES,  
Friday, March 5, 1943.

*Mr. President:*

It is ordered that a message be sent your Honorable Body with the information that the House of Representatives stands ready to receive the Senate in Joint Session, pursuant to Senate Resolution entitled, "A joint resolution fixing the time and place for a Joint Session of the Senate and House of Representatives for election of the Trustees of the Greater University, and for the approval of appointments to the State Board of Education."

Respectfully,

SHEARON HARRIS, *Principal Clerk.*

The President announces that in accordance with the Joint Resolution fixing the time and place for a Joint Session of the Senate and the House of Representatives for election of the Trustees of the Greater University, and for the approval of appointments to the State Board of Education, the hour having arrived for this meeting, the Senate, preceded by its officers, will repair to the Hall of the House of Representatives, there to sit in Joint Session with that Honorable Body.

#### JOINT SESSION

The Senate is received by the members of the House of Representatives standing and the Joint Session is called to order by Lieutenant Governor R. L. Harris.

The Clerk of the Senate calls the roll of the Senate and the following members answer the call:

Senators Ballentine, Barber, Barker, Benton, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—42.

The Clerk of the House calls the roll of the House of Representatives and the following members answer the call:

Messrs. Kerr, Allen, Arch T., Allen, J. LeRoy, Alexander, Askew, Avant, Bender, Bennett, Blalock, Blevins, Bost, Boswood, Brawley, Bridger, Brown, Buie, Burgiss, Burns, Caveness, Cherry, Cohoon, Cook, Deal, Dellinger, Dolley, Edwards of Greene, Edwards of Swain, Everett, Falls, Ferree, Fountain, Fulghum, Galloway, Gass, Gibbs, Gobble, Greene, Griffin, Grimes, Halstead, Hancock, Harris, Hatch, Honeycutt, Horner, Hudson, Hutchins, Jackson, Jernigan, Kermon, Long, Lumpkin, Marshall, Moore of Scotland, Moore of Wilson, Morton, Moseley, McAulay, McCoury, McDonald, McDougle, McLamb, Palmer, Paschal, Pearsall, Poole, Price, Pritchett, Quinn, Rabb, Ramsay, Reynolds, Richardson, Ritch, Rogers, Rountree, Rowe, Rutledge, Sellars, Shreve, Shuford, Smith, Spruill, Stewart, Stone, Stoney, Story, Stringfield, Taylor, Tompkins, Tonissen, Turner of Guilford, Turner of Iredell, Umstead, Uzzell, Vann, Wallace of Johnston, Wallace of Lenoir, Ward,

White of Chowan, White of Perquimans, Woods, Wooten, Worthington—104.

A quorum of each House being declared present, the Joint Session proceeds with the business for which it convenes.

Representative Umstead, on the part of the Joint Committee on Trustees of the University, makes the following report and nomination in writing and moves its adoption:

REPORT OF THE COMMITTEE ON TRUSTEES OF THE UNIVERSITY

*To the General Assembly of North Carolina, Session 1943:*

We, the Committee appointed to count the votes cast for Trustees of the Greater University of North Carolina at the meeting of the Joint Committee on University Trustees held March 3, 1943, wish to report that we have counted said ballots and wish to make the following nominations:

For the term expiring March 31, 1945:

Minnie McIver Brown, Columbus.

Eliot Walker Stevens, Duplin.

For the term expiring March 31, 1951:

Arch Turner Allen, Wake.

Alexander Boyd Andrews, Wake.

Edward Stephenson Askew, Pamlico.

Kemp Davis Battle, Nash.

James Albert Bridger, Bladen.

Charles Albert Cannon, Cabarrus.

Thurmon Chatham, Forsyth.

William Grimes Clark, Edgecombe.

Arthur Mills Dixon, Gaston.

Rufus Alexander Doughton, Alleghany.

Frank Wills Hancock, Granville.

Charles Andrew Jonas, Lincoln.

Arthur Hill London, Chatham.

Sadie McBrayer McCain, Hoke.

Gertrude Dills McKee, Jackson.

Reid Atwater Maynard, Alamance.

Raymond Maxwell, Craven.

Andrew Lee Monroe, Wake.

Kemp Battle Nixon, Lincoln.

John Johnston Parker, Mecklenburg.

Robert Wright Proctor, McDowell.

Richard Joshua Reynolds, Forsyth.

Benjamin Franklin Royal, Carteret.

William Burder Shuford, Catawba.

Grace Pemberton Taylor, Stokes.

J. W. UMSTEAD, JR.,  
LAWRENCE H. WALLACE,  
BRANDON P. HODGES,  
KERR CRAIGE RAMSAY,  
A. B. PALMER.



The report of the Committee is adopted by a roll call vote of the Senate and House of Representatives, respectively:

The following Senators vote in the affirmative: Senators Bailey, Ballentine, Barber, Barker, Benton, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Currie, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Poindexter, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watkins, Watson, Weathers, Whitaker, Wilson—44.

The following members of the House of Representatives vote in the affirmative: Messrs. Kerr, Allen, Arch T., Allen, J. LeRoy, Alexander, Askew, Avant, Barker, Bender, Bennett, Blalock, Blevins, Bost, Boswood, Brawley, Bridger, Brown, Buie, Burgin, Burgiss, Burns, Caveness, Cherry, Cook, Deal, Dellinger, Dobson, Dolley, Edwards of Greene, Edwards of Swain, Everett, Falls, Fearing, Ferree, Fountain, Fulghum, Galloway, Gass, Gibbs, Gobble, Greene, Griffin, Halstead, Hatch, Honeycutt, Horner, Hudson, Hutchins, Jackson, Jer-nigan, Kermon, Long, Lumpkin, Marshall, Moore of Scotland, Moore of Wilson, Morton, Moseley, McAulay, McCoury, McDonald, McDougle, McLamb, Palmer, Paschal, Pearsall, Poole, Price, Pritchett, Quinn, Rabb, Ramsay, Reynolds, Richardson, Ritch, Rogers, Rountree, Rowe, Rutledge, Sellars, Shreve, Shuford, Smith, Spruill, Stewart, Stone, Stoney, Story, Stringfield, Taylor, Tompkins, Tonissen, Turner of Guilford, Turner of Iredell, Umstead, Uzzell, Vann, Wallace of Johnston, Wallace of Lenoir, Ward, White of Chowan, White of Perquimans, Woods, Wooten, Worthington—104.

Whereupon, the President of the Senate presiding over the Joint Assembly declares that the persons nominated by Representative Umstead for the Committee, are duly elected trustees of the University for the terms designated in the report.

Senator Hudgins moves that the Joint Session ratify and confirm the action of the Joint Committee on Trustees of the University in refusing to accept the resignation of Honorable John W. Umstead as a Trustee of the University.

The motion prevails.

The President of the Senate, Lieutenant Governor R. L. Harris, submits the following message from His Excellency, Governor J. Melville Broughton, containing the nominations to the State Board of Education:

#### APPOINTMENT OF MEMBERS OF THE STATE BOARD OF EDUCATION

*Mr. President, Mr. Speaker, and Members of the General Assembly:*

Under the constitutional amendment creating a state board of education, submitted under the provisions of Chapter 155 of the Public Laws of 1941 and ratified by the voters of the state in the general election in November, 1942, it is stipulated that such board shall consist of the Lieutenant Governor, State Treasurer, the Superintendent of Public Instruction and one member from each congressional district, to be appointed by the Governor. It is further provided that the appointive members of such state board of education shall be subject

to confirmation by the General Assembly in joint session. The amendment stipulates that the first appointments shall be members from odd numbered congressional districts for two years and members from even numbered congressional districts for four years.

In pursuance of the provisions of this amendment and subject to confirmation of the joint session of the General Assembly, I have appointed one member from each congressional district, for terms designated in accordance with the amendment. The appointments herewith submitted by me, together with brief biographical data with respect to each appointment, are as follows:

*First District:* William C. Dawson, Pasquotank County, for a term of two years.

(Business man; member of school board of Elizabeth City for about ten years; Episcopalian; home address, Elizabeth City.)

*Second District:* Alonzo C. Edwards, Greene County, for a term of four years.

(Farmer; graduate of Duke University; member of State Farm Bureau; Trustee Junior Order Children's Home; member of House of Representatives sessions of 1941 and 1943; Methodist; home address, Hookerton.)

*Third District:* Archibald McL. Graham, Sampson County, for a term of two years.

(Lawyer; native of Duplin County; graduate University of Virginia; formerly mayor of Clinton; member of House of Representatives in several sessions of the General Assembly; member of State School Commission from 1935 to 1943; Presbyterian; home address, Clinton.)

*Fourth District:* Dr. L. M. Massey, Wake County, for a term of four years.

(Dentist; graduate of Wake Forest College; member of State School Commission since 1941; Baptist; home address, Zebulon.)

*Fifth District:* Santford Martin, Forsyth County, for a term of two years.

(Editor; native of Yadkin County; graduate of Wake Forest College; formerly principal of high schools in Franklin and Wake Counties; Private Secretary to Governor Thomas Walter Bickett; editor of Winston-Salem Journal; Baptist; home address, Winston-Salem.)

*Sixth District:* Henry Dwire, Durham County, for a term of four years.

(Educator; Vice-president and Public Relations Representative of Duke University; member of State School Commission 1935 to 1943; Methodist; home address, Duke University, Durham.)

*Seventh District:* Horace E. Stacy, Robeson County, for a term of two years.

(Lawyer; native of Scotland County; graduate of University of North Carolina; chairman Lumberton School Board 1930-1940; President State Association of School Boards 1938-1940; member of Governor's Commission on Education 1938; member of State Senate 1919 and 1941; Methodist; home address, Lumberton.)



*Eighth District:* Ryan McBryde, Hoke County, for a term of four years.

(Farmer and lumber dealer; native of Hoke County; graduate of Davidson College; member of Hoke County Board of Education 1918-1924, and of Raeford School Board 1930-1933; member of State Senate, sessions of 1933, 1937 and 1941; chairman of Finance Committee of the Senate in 1941, and member of the State Advisory Budget Commission; Presbyterian; home address, Raeford.)

*Ninth District:* Harry E. Isenhour, Rowan County, for a term of two years.

(General insurance and real estate business; instructor at Jackson Training School 1914-1918; employee of Southern Railroad 1918-1920, during which period he was a member of the Brotherhood of Railway Clerks and secretary of the Central Labor Union of Salisbury-Spencer; chairman of Rowan School Board 1934-1940; president Salisbury Insurance Exchange; president N. C. School Board Association 1940-1941; member of Lutheran Church and former president of National Lutheran Brotherhood of the United States; home address, Salisbury.)

*Tenth District:* Julian S. Miller, Mecklenburg County, for a term of four years.

(Editor; native of Mecklenburg County; graduate of Erskine College; editor of Charlotte Observer; member of State School Commission 1941 to 1943; member Associate Reformed Presbyterian Church; home address, Charlotte.)

*Eleventh District:* Carl A. Rudisell, Gaston County, for a term of two years.

(Textile manufacturer; native of Lincoln County; graduate of Lenoir College and of North Carolina State College; Director Cotton Textile Institute; member of House of Representatives in sessions of 1939 and 1941; sponsor of measure creating Textile Vocational School; trustee Lenoir-Rhyne College; Lutheran; home address, Cherryville.)

*Twelfth District:* Mrs. E. L. McKee, Jackson County, for a term of four years.

(Native of Jackson County; graduate of Peace Institute; Chairman of Jackson County Board of Education 1933-1935; has served as Trustee Western Carolina Teachers College, Peace College and Brevard College and the University of North Carolina; member of the North Carolina State Senate sessions of 1931, 1937 and 1943; Methodist; home address, Sylva.)

Under the act of the General Assembly the state board of education as herein appointed, if confirmed by the General Assembly, will assume its duties April 1, 1943.

I respectfully ask the confirmation of these appointments by the General Assembly in joint session.

Respectfully submitted,

J. MELVILLE BROUGHTON, Governor.

Upon motion of Senator Horton, seconded by Representative Reynolds of Buncombe, the nominations submitted by the Governor are unanimously confirmed for the terms indicated.

Upon motion of Senator Hudgins, the Joint Session is dissolved and the Senate returns to its Chamber.

The Senate resumes consideration of its regular business.

Upon motion of Senator Carlyle, the Senate recesses to meet this afternoon at 3:30 o'clock.

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#### AFTERNOON SESSION

SENATE CHAMBER,  
Friday, March 5, 1943.

The Senate meets pursuant to recess, and is called to order by Lieutenant Governor R. L. Harris.

Upon motion of Senator Cherry, the courtesies of the lobby are extended to Mr. and Mrs. W. B. Garrett of Danville, Virginia.

Upon motion of Senator Cherry, Misses Betsy and Anne Bolyn Garrett of Danville, Virginia, are made honorary pages of the Senate.

Upon motion of Senator Cherry, Billy and Bob Garrett of Danville, Virginia, are made honorary pages of the Senate.

Upon motion of Senator Benton, the courtesies of the lobby are extended to Mrs. Carrie Speight Edwards, Court Reporter for the Fourth Judicial District.

Upon motion of Senator Lanier, the courtesies of the lobby are extended to Ray Oglesby, E. A. Nobles, Alex Evans, Tom Edwards, and Grady Sullivan, all of Pitt County.

Upon motion of Senator Wade, the courtesies of the lobby are extended to W. A. Corbett, W. C. Godwin, J. E. Furr, J. L. Herring, F. A. Mathis, J. Holmes Davis, Fred Willetts, N. L. Foy, O. O. Whitlock, C. L. Efid, H. M. Solomon and A. B. Keith, all of New Hanover County.

Upon motion of Senator Mitchell, the courtesies of the floor are extended to former Senator John W. Wallace of Iredell County and former Representative Zeb V. Turlington of Iredell County.

Upon motion of Senator Mitchell, the courtesies of the lobby are extended to T. Ward Guy of Statesville, N. C.

Upon motion of Senator Pittman, Miss Elizabeth Currie, daughter of Senator Currie of Moore County, is made an honorary page of the Senate.

#### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 11, an act to make appropriations for the maintenance of the state's departments, bureaus, institutions, and agencies, and for other purposes.

S. B. 12, an act to make supplemental appropriations for the state's



departments, bureaus, institutions, and agencies, and for the specific purpose of providing a war bonus for public school teachers and other state employees.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Carlyle, for the Committee on Calendar:

H. B. 69, a bill to require that preference be given to residents of Currituck County in the employment of teachers in Currituck County public schools, with an unfavorable report.

H. B. 138, a bill to determine the nominations of all county offices in Avery County by a plurality of the votes cast by abolishing the second primary, with an unfavorable report.

H. B. 141, a bill to authorize the Commissioner of Revenue to refund \$204.50 tax paid on gasoline used in stationary motors, with an unfavorable report.

H. B. 153, a bill to amend Section 74 of the Consolidated Statutes of North Carolina, which provides for the sale of realty if personalty is insufficient for debts, so as to authorize the clerk of the Superior Court to pay the dower interest in cash unless the widow elects to receive the income therefrom, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 159, a bill to amend Section 2285 of the Consolidated Statutes of North Carolina, as amended, to authorize the appointment of a trustee instead of a guardian for any person adjudged insane, a lunatic, or an idiot, when such person is more than twenty-one years of age, with an unfavorable report.

H. B. 321, a bill to amend Chapter 95 of the Consolidated Statutes of 1919, relating to the instruction on alcoholism and narcotism in the public schools of the State, with an unfavorable report.

H. B. 352, a bill to amend Chapter 314 of the Public Laws of 1939, relating to the issuance of marriage licenses to persons previously adjudged of unsound mind, with a favorable report, as amended.

The bill is placed upon today's Calendar.

H. B. 361, a bill to regulate and fix the liability of tobacco warehousemen for liens on the tobacco sold at auction on warehouse floors, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 412, a bill to regulate privately owned cemeteries which are operated for private gain or profit, with a favorable report.

H. B. 452, a bill to authorize any board of county commissioners and municipal authorities to aid in the war effort by contributions to local organizations of official State and Federal governmental agencies, with a favorable report, as amended.

H. B. 499, a bill to amend Chapter 88 of the Public Laws of 1931, relating to evidence in civil actions arising out of motor vehicle accidents, so as to substitute "Commissioner of Motor Vehicles" for "Commissioner of Revenue," with a favorable report.

H. B. 515, a bill to prohibit the establishment of secret organizations in the public schools of the State, with an unfavorable report.

H. B. 581, a bill to amend Section 76, Volume 1 of the Consolidated Statutes of 1919, as amended, relating to conveyances of real property of a decedent by the devisees or heirs at law of such decedent, with a favorable report.

H. B. 587, a bill to provide procedure for holding a special election on the question of further operating and maintaining the liquor stores at Southern Pines, and Pinehurst, Moore County, with a favorable report, as amended.

The bill is placed upon today's Calendar.

H. B. 605, a bill authorizing the board of county commissioners to exempt properties taken for military reservations and airports from taxation for the year 1943, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 633, a bill to amend Section 2308 of the Consolidated Statutes, relating to interest on obligations due guardians, so as to make the rate of interest at least 4% and not more than the legal maximum, with a favorable report.

H. B. 645, a bill to authorize the commissioners of Burke County to reimburse Roy Morrison, former rural policeman, for money paid by him in settlement of claims of the estate of E. A. Beck, who was injured in a collision with a car operated by Roy Morrison while in the discharge of his official duties as rural policeman for Burke County, not to exceed \$1,000.00, with a favorable report.

H. B. 660, a bill to amend Section 927 of the Consolidated Statutes, relating to the bond of clerks of the Superior Court, with a favorable report.

H. B. 672, a bill to amend Chapter 158 of the Public Laws of 1939, as amended, the same being the Revenue Act of 1939, relating to the deduction of contributions from taxable income, with a favorable report.

H. B. 680, a bill to regulate child labor in North Carolina by amending Chapter 317 of the Public Laws of 1937, with a favorable report.

H. B. 694, a bill to provide clerical assistance in the office of the sheriff, tax collector and treasurer of Alleghany County, with an unfavorable report as to bill, favorable as to substitute offered by Committee.

H. B. 686, a bill to authorize the Governor and Council of State to waive claim of State to compensation for lands claimed by individuals in the New River Marine Base area, with a favorable report.

H. B. 687, a bill to amend The North Carolina Workmen's Compensation Act by making it applicable to members of the National Guard and the State Guard while at drill, in camp, and on special duty under orders of the Governor, with a favorable report.

H. B. 690, a bill to amend Section 7109 of the Consolidated Statutes of 1919, as amended, relative to the registration of certificates of birth and death, with a favorable report.

H. B. 700, a bill to amend Section 3484 of the Consolidated Statutes



of North Carolina of 1919, so as to permit the Governor to appoint policemen for transportation companies, with a favorable report.

H. B. 774, a bill to make certain provisions with respect to a recorder's court in the town of Elkin, with a favorable report.

H. B. 780, a bill providing for tax sales on delinquent taxes for the years 1939, 1940, 1941, and 1942 in the town of Garysburg, with a favorable report.

H. B. 783, a bill to amend Chapter 201 of the Public Laws of 1935, relating to the terms of Superior Court of Nash County, with a favorable report.

H. B. 785, a bill to apply certain delinquent taxes of Carteret County to debt service purposes, with a favorable report.

H. B. 786, a bill to exempt Johnston County from the operation of Section 1461 of the Consolidated Statutes, as amended, with a favorable report.

H. B. 793, a bill to legalize and validate certain outstanding bonds of Hendersonville Graded School District and to provide for the refunding of said bonds, with a favorable report.

H. B. 795, a bill to amend the charter of the town of Morganton, changing the corporate name thereof to city of Morganton, with a favorable report.

H. B. 802, a bill regulating the payment of witness fees to salaried officers in Lenoir County, with a favorable report.

H. B. 808, a bill to fix the compensation of the board of commissioners of Brunswick County, with a favorable report.

H. B. 812, a bill to repeal H. B. 415 as enacted by this Session of the General Assembly and ratified on the 25th day of February, 1943, which was entitled "An Act to relieve J. W. Cooper, former sheriff of Bertie County, and the estate of A. O. Askew, former deputy sheriff of Bertie County, from further liability for funds lost in defunct Citizens Bank of Windsor"; and to authorize and empower board of county commissioners of Bertie County to settle, on basis which will inure to best interest of Bertie County in its judgment, note of J. W. Cooper and A. O. Askew and collateral note of R. E. Tarkenton, and also liability of J. W. Cooper, former sheriff of Bertie County, and the estate of A. O. Askew, former deputy sheriff of Bertie County, from further liability for funds lost in defunct Citizens Bank of Windsor, with a favorable report.

H. B. 816, a bill relating to the fees collected by the clerk of the Superior Court of Carteret County by amending Section 3903 of the Consolidated Statutes of 1919, and as amended, with a favorable report.

H. B. 817, a bill relating to the salary of the surveyor of Carteret County, with a favorable report.

H. B. 818, a bill to amend Section 1443 of the Consolidated Statutes of North Carolina, relating to the terms of the Superior Court, so as to change the terms in Franklin County, with a favorable report.

H. B. 821, a bill relating to the board of trustees of the Haywood County Hospital, with a favorable report.

H. B. 819, a bill to amend Section 2 of Chapter 26 to the Private Laws of 1935, relating to the appointment of the board of education

for the Lexington City Administrative Unit, with a favorable report.

H. B. 833, a bill to allow the hunting, chasing, trapping and killing of foxes, bears, and rabbits at any time within Gates County, with an unfavorable report.

H. B. 839, a bill to fix the penalty on delinquent taxes in Camden County at 6% per annum, with a favorable report.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 308, a bill to place the control of hog cholera and other swine diseases in the Department of Agriculture, to define certain duties of said department and to regulate the sale, distribution and use of hog cholera virus and similar products.

Referred to Committee on Calendar.

H. B. 505, a bill to amend Chapter 368 of the Public Laws of 1941, which amended Chapter 324 of the Public Laws of 1933, known as the North Carolina Fertilizer Law of 1933, as amended.

Referred to Committee on Calendar.

H. R. 512, a joint resolution providing for a commission to study the State courts.

Referred to Committee on Calendar.

H. B. 534, a bill to amend Section 5899, Volume 2, Consolidated Statutes of 1919, relating to the admission of persons to the Caswell Training School.

Referred to Committee on Calendar.

H. B. 631, a bill to amend Chapter 178 of the Public Laws of 1935, relating to forest fire control.

Referred to Committee on Calendar.

H. B. 632, a bill to amend Section 4309 of the Consolidated Statutes, as amended, relating to setting fire to woodlands, so as to make wilful or malicious acts in violation thereof a felony.

Referred to Committee on Calendar.

H. B. 643, a bill to repeal Chapter 462 of the Public Local Laws of 1939, relating to the sale of beer, wine and alcoholic beverages within certain distances of churches and public schools in the town of Hayesville, Clay County, and to re-enact Chapter 157 of the Public Local Laws of 1935, relating to the sale of beer or other alcoholic beverages in the town of Hayesville, Clay County, and Clay County.

Referred to Committee on Calendar.

H. B. 647, a bill to prescribe a method of releasing powers of appointment.

Referred to Committee on Calendar.

H. B. 665, a bill to amend Section 1403 of Chapter 310 of the Public Laws of 1939, relating to penalties and discounts on taxes.

Referred to Committee on Calendar.

H. B. 776, a bill to amend Chapter 223 of the Public Local Laws of 1941, relative to the Civil Service Commission of the city of Wilmington.



Referred to Committee on Calendar.

H. B. 796, a bill to provide a hog cholera prevention program for Tyrrell and Hyde Counties, and to permit the sale and use of hog cholera vaccine therefor.

Referred to Committee on Calendar.

H. B. 797, a bill to abolish the office of treasurer of Rutherford County.

Referred to Committee on Calendar.

H. B. 815, a bill to amend Section 5412 of the Consolidated Statutes of 1919 insofar as the same relates to Jackson County.

Referred to Committee on Calendar.

H. B. 824, a bill to authorize and empower the county commissioners of Currituck County to appoint an assistant judge of the recorder's court of said county.

Referred to Committee on Calendar.

H. B. 825, a bill to extend the police power of the town of Mooresville to outside territory.

Referred to Committee on Calendar.

H. B. 828, a bill to amend Chapter 483 of the Public Local and Private Laws of the Session of 1935, relating to the salaries of public officers in Granville County, their assistants, deputies and stenographers.

Referred to Committee on Calendar.

H. B. 830, a bill to provide for the burial of indigents dying in Guilford County.

Referred to Committee on Calendar.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 572, a bill authorizing the board of commissioners of Transylvania County to levy special taxes for the expenses of the offices of county accountant, county farm agent, and county home demonstration agent, and for the expenses of forest fire protection, upon second reading.

The bill passes its second reading by roll call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Currie, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Hodges, Horton, Hudgins, Johnson of Halifax, Lanier, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Price, Ruark, Smith, Taylor, Wade, Wallace, Watson, Weathers, Whitaker—38.

H. B. 674, a bill to create a retirement system for the employees of New Hanover County, upon second reading.

The bill passes its second reading by roll call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Currie, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Hodges, Horton, Hudgins, Johnson of Halifax, Lanier, Matheny,

Mitchell, McKee, O'Berry, Palmer, Pittman, Price, Ruark, Smith, Taylor, Wade, Wallace, Watson, Weathers, Whitaker—38.

H. B. 737, a bill to permit the board of county commissioners of Guilford County, the tax levying authorities of Greensboro City Administrative Unit to levy an additional tax upon the property in said administrative unit for the maintenance of plant and fixed charges therein, upon second reading.

The bill passes its second reading by roll call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Currie, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Hodges, Horton, Hudgins, Johnson of Halifax, Lanier, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Price, Ruark, Smith, Taylor, Wade, Wallace, Watson, Weathers, Whitaker—38.

H. B. 740, a bill to amend and extend the provisions of Chapter 408, Public Local Laws of North Carolina, Session 1915, same being an Act to authorize the commissioners of Henderson County to levy a special hospital tax, upon second reading.

The bill passes its second reading by roll call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Currie, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Hodges, Horton, Hudgins, Johnson of Halifax, Lanier, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Price, Ruark, Smith, Taylor, Wade, Wallace, Watson, Weathers, Whitaker—38.

S. B. 314, a bill protecting wild turkeys in Wake County.

Passes its third reading and is ordered sent to the House of Representatives.

H. B. 718, a bill authorizing the clerk of the Superior Court of Wake County to appoint two assistant clerks.

Passes its second and third readings and is ordered enrolled.

H. B. 728, a bill to provide for a survey of certain property and state waters in Currituck County.

Passes its second and third readings and is ordered enrolled.

H. B. 762, a bill to validate sales of land for taxes in the county of Robeson and municipalities therein made during the years 1941 and 1942 and confirming settlements and adjustments of taxes heretofore made by the governing body of Robeson County and the governing body of the municipalities therein.

Passes its second and third readings and is ordered enrolled.

H. B. 587, a bill to provide procedure for holding a special election on the question of further operating and maintaining the liquor stores at Southern Pines and Pinehurst, Moore County.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 605, a bill authorizing the board of county commissioners to



exempt properties taken for military reservations and airports from taxation for the year 1943.

Passes its second and third readings and is ordered enrolled.

H. B. 638, a bill to amend Section 8 of Article X of the Constitution of North Carolina, relating to deeds to homesteads, to provide for a vote of the people on the question of abolishing private examination of married women, upon second reading.

The bill passes its second reading by roll call vote, ayes 33, noes 3, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Brock, Brown, Carlyle, Chaffin, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Hodges, Horton, Hudgins, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watson, Weathers, Whitaker—33.

Those voting in the negative are: Senators Ballentine, Johnson of Halifax, Lanier—3.

The bill passes its third reading by roll call vote, ayes 32, noes 5, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Brock, Brown, Carlyle, Chaffin, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Hodges, Horton, Hudgins, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Price, Ruark, Sanders, Smith, Taylor, Wade, Wallace, Watson, Weathers, Whitaker—32.

Those voting in the negative are: Senators Ballentine, Benton, Cherry, Johnson of Halifax, Lanier—5.

The bill is ordered enrolled.

S. B. 353, a bill to amend Chapter 97 of the Public Laws of 1941 by striking out Section 6 of said Chapter and inserting in lieu thereof a new Section 6, thereby making it legal for a majority of the members of the Utilities Commission to hear and pass upon matters coming before the Commission.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. R. 354, a resolution commending Mrs. Edna Jones Harrell for her courteous and loyal service during the 1943 Session of the General Assembly.

The resolution is unanimously adopted.

S. R. 355, a joint resolution authorizing the Governor to appoint a committee to study the problem of public safety education as it may be related to post-war travel.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 356, a bill to amend Chapter 25 of the Public Laws of 1941, known and designated as the Teachers' and State Employees' Retirement Act.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 278, a bill to amend Section 6 of Chapter 132 of the Public Laws of 1937, relating to the appointment of the director of probation.

Passes its second and third readings and is ordered enrolled.

H. B. 491, a bill to amend Chapter 52 of the Public Laws of 1935,

the same being the Uniform Drivers' License Act, so as to dispense with the necessity of a chauffeur's badge due to war restrictions on metal.

Passes its second and third readings and is ordered enrolled.

H. B. 153, a bill to amend Section 74 of the Consolidated Statutes of North Carolina, which provides for the sale of realty if personalty is insufficient for debts, so as to authorize the clerk of the Superior Court to pay the dower interest in cash unless the widow elects to receive the income therefrom.

Passes its second and third readings and is ordered enrolled.

H. B. 352, a bill to amend Chapter 314 of the Public Laws of 1939, relating to the issuance of marriage licenses to persons previously adjudged of unsound mind.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 361, a bill to regulate and fix the liability of tobacco warehousemen for liens on the tobacco sold at auction on warehouse floors.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator O'Berry, the Senate recesses to meet to-night at 8 o'clock.

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## EVENING SESSION

SENATE CHAMBER,  
Friday, March 5, 1943.

The Senate meets pursuant to recess, and is called to order by Lieutenant Governor R. L. Harris.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 645, a bill to authorize the commissioners of Burke County to reimburse Roy Morrison, former rural policeman, for money paid by him in settlement of claims of the estate of E. A. Beck, who was injured in a collision with a car operated by Roy Morrison while in the discharge of his official duties as rural policeman for Burke County, not to exceed \$1,000.00.

Passes its second and third readings and is ordered enrolled.

H. B. 694, a bill to provide clerical assistance in the office of the sheriff, tax collector and treasurer of Alleghany County.

The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate substitute.

H. B. 774, a bill to make certain provision with respect to a recorder's court in the town of Elkin.

Passes its second and third readings and is ordered enrolled.



H. B. 780, a bill providing for tax sales on delinquent taxes for the years 1939, 1940, 1941 and 1942 in the town of Garysburg.

Passes its second and third readings and is ordered enrolled.

H. B. 783, a bill to amend Chapter 201 of the Public Laws of 1935, relating to the terms of Superior Court of Nash County.

Passes its second and third readings and is ordered enrolled.

H. B. 785, a bill to apply certain delinquent taxes of Carteret County to debt service purposes.

Passes its second and third readings and is ordered enrolled.

H. B. 786, a bill to exempt Johnston County from the operation of Section 1461 of the Consolidated Statutes, as amended.

Passes its second and third readings and is ordered enrolled.

H. B. 795, a bill to amend the charter of the town of Morganton, changing the corporate name thereof to city of Morganton.

Passes its second and third readings and is ordered enrolled.

H. B. 802, a bill regulating the payment of witness fees to salaried officers in Lenoir County.

Passes its second and third readings and is ordered enrolled.

H. B. 808, a bill to fix the compensation of the board of commissioners of Brunswick County.

Passes its second and third readings and is ordered enrolled.

H. B. 812, a bill to repeal H. B. 415, as enacted by this Session of the General Assembly and ratified on the 25th day of February, 1943, which was entitled "An Act to relieve J. W. Cooper, former sheriff of Bertie County, and the estate of A. O. Askew, former deputy sheriff of Bertie County, from further liability for funds lost in defunct Citizens Bank of Windsor"; and to authorize and empower board of county commissioners of Bertie County to settle, on basis which will inure to best interest of Bertie County in its judgment, note of J. W. Cooper and A. O. Askew and collateral note of R. E. Tarkenton, and also liability of J. W. Cooper, former sheriff of Bertie County, and the estate of A. O. Askew, former deputy sheriff of Bertie County, from further liability for funds lost in the defunct Citizens Bank of Windsor.

Passes its second and third readings and is ordered enrolled.

H. B. 816, a bill relating to the fees collected by the clerk of the Superior Court of Carteret County by amending Section 3903 of the Consolidated Statutes of 1919, and as amended.

Passes its second and third readings and is ordered enrolled.

H. B. 817, a bill relating to the salary of the surveyor of Carteret County.

Passes its second and third readings and is ordered enrolled.

H. B. 818, a bill to amend Section 1443 of the Consolidated Statutes of North Carolina, relating to the terms of the Superior Courts, so as to change the terms in Franklin County.

Passes its second and third readings and is ordered enrolled.

H. B. 819, a bill to amend Section 2 of Chapter 26 of the Private Laws of 1935, relating to the appointment of the board of education for the Lexington City Administrative Unit.

Passes its second and third readings and is ordered enrolled.

H. B. 821, a bill relating to the board of trustees of the Haywood County Hospital.

Passes its second and third readings and is ordered enrolled.

H. B. 839, a bill to fix the penalty on delinquent taxes in Camden County at six per cent per annum.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Larkins, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.

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### FIFTY-SECOND DAY

SENATE CHAMBER,  
Saturday, March 6, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Chaffin for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Chaffin, the courtesies of the floor are extended to former Senator Fred Thomas of Harnett County.

Upon motion of Senator Cherry, Robert Chaffin, son of Senator Chaffin of Harnett County, is made an honorary page of the Senate.

Upon motion of Senator Sanders, Miss Osee Mac Johnson, daughter of Senator Johnson of Halifax, is made an honorary page of the Senate.

Upon motion of Senator Gregory, Miss Eleanor Newman Ramsay of Salisbury, N. C., is made an honorary page of the Senate.

Upon motion of Senator O'Berry, Miss Louise Harris of Roxboro, N. C., is made an honorary page of the Senate.

Upon motion of Senator Cherry, H. B. 697, a bill to extend the term of office of the register of deeds and the tax collector of Mitchell County to four years, is taken from the unfavorable Calendar and re-referred to the Committee on Calendar.

Upon motion of Senator Carlyle, H. B. 570, a bill relating to the fees of the clerk of the Superior Court of Avery County, is taken from the unfavorable Calendar and re-referred to the Committee on Calendar.

### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. R. 341, a joint resolution memorializing electors of the Hall of Fame of New York University with reference to Sidney Lanier.

S. R. 352, a joint resolution fixing the time and place for a Joint Session of the Senate and House of Representatives for the election of trustees of the Greater University of North Carolina and for the



approval of appointments to the State Board of Education.

H. R. 814, a joint resolution expressing appreciation of the General Assembly for services rendered by the Institute of Government.

S. B. 107, an act validating summons designated alias or pluries summons, though not actually such, on which judgments or other final decrees have been entered.

S. B. 160, an act to amend Chapter 251 of the Public Local and Private Laws of 1941, entitled "An Act relating to the sale of certain land by the city of High Point."

S. B. 162, an act to amend Chapter 241 of the Public Laws of 1937, same being "An Act to provide educational advantages in State institutions to world war orphans."

S. B. 176, an act to amend the North Carolina Local Governmental Employees' Retirement System, the same being Chapter 390 of the Public Laws of 1939, as amended, by changing certain dates therein.

S. B. 182, an act to amend the charter of the town of Wilson, North Carolina, so as to provide for the general election of elective municipal officials.

S. B. 211, an act to amend Chapter 338 of the Public Laws of 1941, relating to the regulation and incorporation of non-profit hospital service corporations and to the supervision and regulation of such corporations by the State Commissioner of Insurance and the authorization by such corporations to provide for medical service plans.

S. B. 214, an act to provide for the regulation of aeronautics within North Carolina.

S. B. 233, an act to incorporate the town of Benson, define its corporate limits and to provide for its government; to repeal the charter of the present town of Benson and acts amendatory thereto, except as provided herein.

S. B. 238, an act to repeal Chapter 431 of the Public Local Laws of 1939, relating to classification for taxation in Iredell County.

S. B. 244, an act to amend Section 1443 of the Consolidated Statutes of 1919 to change the terms of Superior Court in Columbus County.

S. B. 257, an act to validate certain outstanding obligations of the Greensboro-High Point airport authority.

S. B. 269, an act to clarify S. B. 14, the same being the General Statutes of North Carolina.

S. B. 272, an act to establish for the county of New Hanover and the city of Wilmington a special committee on post-war planning for economic stability.

S. B. 288, an act to repeal Chapter 75 of the Public Laws of 1937 exempting Warren County from that part of Section 1681 of the Consolidated Statutes which requires payment for damages done by dogs, and to make provisions for payment of such damages in Warren County.

S. B. 302 an act to provide for collection of delinquent taxes by the tax collector of Harnett County, to provide for his compensation, and to amend Chapter 42 of the Public Local Laws of 1924 in so far as it relates thereto.

S. B. 319, an act to authorize the Montgomery County board of

education to settle a boundary dispute involving the boundaries to Troy public school property by executing a quitclaim deed.

S. B. 327, an act to authorize the clerk of the Superior Court of Mecklenburg County to name two assistant clerks of the Superior Court of Mecklenburg County.

H. B. 29, an act to provide for terms of Superior Court for McDowell County.

H. B. 44, an act to make more elastic the punishments for certain violations of the lottery and gaming laws of the State of North Carolina.

H. B. 104, an act to prohibit the operation of dance halls, pool tables, music vending machines, and to prohibit the sale of beer or wine on Sundays and during hours when religious services are being conducted on other days, and to prohibit gambling within five hundred (500) yards of the Cabin Missionary Baptist Church and the Cabin Free Will Baptist Church in Duplin County.

H. B. 346, an act to amend Chapter 1 of the Public Laws of the Extra Session of 1936, as amended, known as the Unemployment Compensation Law.

H. B. 370, an act authorizing counties to promote and protect the public health by the drainage of streams, and to authorize the levy of taxes therefor.

H. B. 393, an act to amend Chapter 215 of the Public Local Laws of 1933, as amended by Chapter 111 of the Public Local Laws of 1935, relating to the salary of the sheriff of Franklin County.

H. B. 580, an act to relieve the register of deeds of Wilson County of the duty of requiring a copy of the report of the clerk of the Superior Court with the board of county commissioners as to all public funds in the hands of said clerk of the Superior Court.

H. B. 583, an act to appoint seven members to the board of education of Iredell County for a term of four years; to limit the membership of said board to five thereafter and to make their term of office four years.

H. B. 595, an act fixing the terms of office of the chairman and members of the board of county commissioners, the register of deeds, the tax collector, and the county surveyor, and to extend the terms of office of the present incumbents in said offices.

H. B. 596, an act to reimburse I. T. Sharpe of Forsyth County for damages to his automobile through collision with a school bus on May 7, 1942.

H. B. 635, an act to provide that taxes which are three years or more delinquent shall, when collected, accrue to the benefit of and be deposited in the general and education funds of Madison County.

H. B. 639, an act to amend Chapter 383 of the Public Laws of 1939, amendatory of Section 65 (a) of the Consolidated Statutes, relating to the payment of money into the office of the clerk of the Superior Court so as to make said Section applicable to Lenoir County.

H. B. 648, an act to validate the official acts of the board of county commissioners of Yadkin County relative to certain investments of sinking funds in Forsyth County real estate.

H. B. 650, an act to amend Chapter 37 of the Private Laws of 1905,



relative to tenure of office of the mayor and members of the board of aldermen of the town of Spencer.

H. B. 673, an act to amend Chapter 26 of the Private Laws of 1937, relating to the firemen's pension fund of the city of Wilmington.

H. B. 676, an act to amend Chapter 158 of the Public Laws of 1939, the same being the Revenue Act of 1939, as amended, relating to the method of payment of the wholesale tax on wine.

H. B. 677, an act to amend Chapter 158 of the Public Laws of 1939, as amended, the same being the Revenue Act of 1939, relating to the tax on unfortified wines.

H. B. 682, an act to amend Chapter 258 of the Public Local Laws of 1941, relative to the conveyance of the Powells Point School property by the board of education of Currituck County for use as a community center.

H. B. 695, an act to authorize the conveyance of real property, the title to which is vested in the city of Greensboro, but which is held as an investment in the sinking fund of the city.

H. B. 696, an act to authorize Carteret County, North Carolina, to acquire lands for an airport, or landing field, in connection with civilian defense, and general uses.

H. B. 705, an act to fix the compensation of members of the county board of charities and public welfare in Brunswick County.

H. B. 723, an act relating to the clerk of the Superior Court of Hertford County.

H. B. 727, an act for the beautification and maintenance of cemeteries within the town of Graham.

H. B. 735, an act to authorize the trustees of Greensboro City Administrative Unit to sell unnecessary public school property and dispose of the proceeds.

H. B. 736, an act to validate certain appropriations and payments made by officials of Guilford County to Guilford County War Price and Rationing Board and the Civilian Defense Volunteer Office of Guilford County and to authorize such appropriations and payments until July 1, 1945.

H. B. 743, an act to repeal Chapter 9, Private Laws, 1917, relating to the corporate limits of the town of Franklin.

H. B. 744, an act to amend Chapter 293 of the Public Local and Private Laws of 1941, relating to the establishment of a pension fund for the retirement and disability of members of the fire department of the city of High Point.

H. B. 745, an act to amend Chapter 164 of the Private Laws of 1929, relating to the Greensboro policemen's retirement fund.

H. B. 746, an act to permit the county of Durham and the city of Durham to accept deeds for real estate in payment of taxes and special assessments due thereon in lieu of foreclosure of the tax lien or special assessment lien, and to resell such property.

H. B. 747, an act governing the registration and preservation of maps, plats, or other drawings of lands in Lincoln County.

H. B. 748, an act to fix the compensation of the members of the board of county commissioners of Lincoln County.

H. B. 751, an act to authorize the clerk of the Superior Court of Gates County to fill vacancies occurring in the offices of judge and solicitor of the Gates County recorder's court.

H. B. 752, an act to authorize the county commissioners of Gates County to pay a sum not to exceed four hundred dollars (\$400.) per annum to the register of deeds for clerical assistance.

H. B. 754, an act to repeal Sections 2016, 2017, 2018 and 2019 of the Consolidated Statutes, relating to fishing on the Scuppernong River.

H. B. 755, an act requiring the county accountant of Cherokee County to collect delinquent taxes.

H. B. 760, an act to authorize the sheriff of Surry County, with the approval of the board of county commissioners, to employ additional clerical assistance, and to provide for the compensation of said clerical assistance.

H. B. 761, an act to authorize the clerk of the Superior Court of Surry County to employ an additional deputy clerk and to provide for the compensation of said deputy clerk.

H. B. 766, an act to reduce the salary of the county attorney and to prohibit the collection of commissions on delinquent tax sales in Franklin County.

H. B. 767, an act to amend Chapter 367, Public Laws of 1941, relating to the terms of the Superior Court in Wake County.

H. B. 772, an act to declare valid and legal the proceedings adopted by the board of commissioners of Wayne County with respect to the inclusion of Wayne County into the municipal corporate body and territorial jurisdiction of the Eastern Carolina Regional Housing Authority.

H. B. 773, an act relating to the register of deeds of Hertford County.

H. B. 775, an act to amend Chapter 398 of the Private Laws of 1905, as amended by Chapter 170 of the Private Laws of 1913, to provide for five commissioners instead of three for the town of Creedmoor.

H. B. 779, an act to amend Sections 2651 and 2666 of the Consolidated Statutes, relating to elections in Graham.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Taylor, for the Committee on Appropriations:

S. B. 125, a bill to authorize and empower the acquisition, by the State of North Carolina for park purposes, of parts of certain lands located in Avery, Caldwell and Watauga Counties, known as Grandfather Mountain, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

By Senator Carlyle, for the Committee on Calendar:

S. B. 262, a bill relating to withdrawal of deposits from the State Employees' Credit Union, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 308, a bill to place the control of hog cholera and other swine diseases in the Department of Agriculture, to define certain duties of



said department and to regulate the sale, distribution and use of hog cholera virus and similar products, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 505, a bill to amend Chapter 368 of the Public Laws of 1941, which amended Chapter 324 of the Public Laws of 1933, known as the North Carolina Fertilizer Law of 1933, as amended, with a favorable report.

The bill is placed upon today's Calendar.

H. R. 512, a joint resolution providing for a commission to study the State courts, with an unfavorable report.

H. B. 534, a bill to amend Section 5899, Volume 2, Consolidated Statutes of 1919, relating to the admission of persons to the Caswell Training School, with an unfavorable report.

H. B. 562, a bill for the relief of Rommie R. Glover, with an unfavorable report.

H. B. 621, a bill authorizing the State School Commission to compensate J. H. Williams, father and guardian of Howard Williams and Elsie Williams, both minors, Mrs. Annie Kelbaugh, mother and guardian of Annie May Kelbaugh, a minor, Mrs. Effie Marcom, mother and guardian of Leonard Marcom, a minor, E. A. King, father and guardian of Weldon King, a minor, for personal injuries sustained by reason of a school bus wreck on March 21, 1941, with a favorable report, as amended.

The bill is placed upon today's Calendar.

H. B. 631, a bill to amend Chapter 178 of the Public Laws of 1935, relating to forest fire control, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 632, a bill to amend Section 4309 of the Consolidated Statutes, as amended, relating to setting fire to woodlands, so as to make willful or malicious acts in violation thereof a felony, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 637, a bill to reimburse C. C. Hill for damages to a Ford pick-up truck caused by a school bus, with a favorable report, as amended.

The bill is placed upon today's Calendar.

H. B. 643, a bill to repeal Chapter 462 of the Public Local Laws of 1939, relating to the sale of beer, wine, and alcoholic beverages within certain distances of churches and public schools in the town of Haysville, Clay County, and to reenact Chapter 157 of the Public Local Laws of 1935, relating to the sale of beer or other alcoholic beverages in the town of Haysville, Clay County, and Clay County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 647, a bill to prescribe a method of releasing powers of appointment, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 665, a bill to amend Section 1403 of Chapter 310 of the Public Laws of 1939, relating to penalties and discounts on taxes, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 666, a bill to reimburse T. J. Gilliland for damages caused by

a mule being struck and killed by a school bus, with a favorable report, as amended.

The bill is placed upon today's Calendar.

H. B. 693, a bill to authorize the State School Commission to reimburse Tom Jackson for damages to his automobile through collision with a school bus in Pitt County on February 23, 1943, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 707, a bill to compensate the parents of Patsy Long Newman, a minor, for her death from injuries sustained through a negligent school bus wreck near Cary, Wake County, North Carolina, with a favorable report, as amended.

The bill is placed upon today's Calendar.

H. B. 732, a bill relating to the prevention of cruelty to animals in Wake County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 776, a bill to amend Chapter 223 of the Public Local Laws of 1941, relative to the civil service commission of the city of Wilmington, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 796, a bill to provide a hog cholera prevention program for Tyrrell and Hyde Counties, and to permit the sale and use of hog cholera vaccine therefor, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 797, a bill to abolish the office of treasurer of Rutherford County, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 824, a bill to authorize and empower the county commissioners of Currituck County to appoint an assistant judge of the recorder's court of said county, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 825, a bill to extend the police power of the town of Mooresville to outside territory, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 828, a bill to amend Chapter 483 of the Public Local and Private Laws of the Session of 1935, relating to the salaries of public officers in Granville County, their assistants, deputies and stenographers, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 830, a bill to provide for the burial of indigents dying in Guilford County, with a favorable report.

The bill is placed upon today's Calendar.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Bailey, by request: S. B. 357, a bill to extend the term of office of the police judge and city solicitor in the town of Canton, Haywood County, North Carolina, for a period of two years.

Referred to Committee on Calendar.



## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 96, a bill to amend Chapter 288 of the Public Laws of 1937, as amended by Chapter 395 of the Public Laws of 1939 and Chapter 232 of the Public Laws of 1941, to provide for the transfer of funds from the State old age assistance fund to the aid to dependent children fund, and from the State aid to dependent children fund to the old age assistance fund, and to amend Section 62, Chapter 288, of the Public Laws of 1937, with regard to the equalizing fund for old age assistance and aid to dependent children.

Referred to Committee on Calendar.

H. B. 789, a bill to require the board of county commissioners of Currituck County to publish its minutes in some newspaper having a circulation in the county and to provide funds for the payment of the costs thereof.

Referred to Committee on Calendar.

H. B. 798, a bill to amend Chapter 169 of the Private Laws of 1927, to authorize the leasing of Lake Lure.

Referred to Committee on Calendar.

H. B. 799, a bill to amend Chapter 205 of the Private Laws of 1935, relating to bonds of the town of Lake Lure.

Referred to Committee on Calendar.

H. B. 826, a bill amending Chapter 2 of the Public Laws, Extra Session of 1938, the same being the Revenue Bond Act of 1938, so as to extend the time for issuance of Revenue Bonds by municipalities of Brunswick and Onslow Counties.

Referred to Committee on Calendar.

H. B. 846, a bill to repeal Chapter 98 of the Public Laws of 1931, relating to the commission for the improvement of the laws.

Referred to Committee on Calendar.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 442, a bill to amend Chapter 441, Public Laws of 1931, relating to special levies in certain counties, upon third reading.

The bill passes its third reading by roll call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brown, Carlyle, Chaffin, Cherry, Clark, Currie, Daniel, Evans, Farthing, Funderburk, Graham, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Price, Sanders, Smith, Taylor, Wade, Watson, Weathers, Whitaker, Wilson—38.

The bill is ordered enrolled.

H. B. 572, a bill authorizing the board of commissioners of Transylvania County to levy special taxes for the expenses of the officers of

county accountant, county farm agent, county home demonstration agent, and for the expenses of forest fire protection, upon third reading.

The bill passes its third reading by roll call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brown, Carlyle, Chaffin, Cherry, Clark, Currie, Daniel, Evans, Farthing, Funderburk, Graham, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Price, Sanders, Smith, Taylor, Wade, Watson, Weathers, Whitaker, Wilson—38.

The bill is ordered enrolled.

H. B. 674, a bill to create a retirement system for the employees of New Hanover County, upon third reading.

The bill passes its third reading by roll call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brown, Carlyle, Chaffin, Cherry, Clark, Currie, Daniel, Evans, Farthing, Funderburk, Graham, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Price, Sanders, Smith, Taylor, Wade, Watson, Weathers, Whitaker, Wilson—38.

The bill is ordered enrolled.

H. B. 737, a bill to permit the board of county commissioners of Guilford County, the tax levying authorities of Greensboro City Administrative Unit to levy an additional tax upon the property in said administrative unit for the maintenance of plant and fixed charges therein, upon third reading.

The bill passes its third reading by roll call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brown, Carlyle, Chaffin, Cherry, Clark, Currie, Daniel, Evans, Farthing, Funderburk, Graham, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Price, Sanders, Smith, Taylor, Wade, Watson, Weathers, Whitaker, Wilson—38.

The bill is ordered enrolled.

H. B. 740, a bill to amend and extend the provisions of Chapter 408, Public Local Laws of North Carolina, Session 1915, same being an Act to authorize the commissioners of Henderson County to levy a special hospital tax, upon third reading.

The bill passes its third reading by roll call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brown, Carlyle, Chaffin, Cherry, Clark, Currie, Daniel, Evans, Farthing, Funderburk, Graham, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Price, Sanders, Smith, Taylor, Wade, Watson, Weathers, Whitaker, Wilson—38.

The bill is ordered enrolled.

H. B. 793, a bill to legalize and validate certain outstanding bonds



of Hendersonville Graded School District and to provide for the re-funding of said bonds, upon second reading.

The bill passes its second reading by roll call vote, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Blythe, Brown, Carlyle, Chaffin, Cherry, Clark, Currie, Daniel, Evans, Farthing, Funderburk, Graham, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, Matheny, McKee, O'Berry, Palmer, Pittman, Price, Sanders, Smith, Taylor, Wade, Watson, Weathers, Whitaker, Wilson—38.

H. B. 643, a bill to repeal Chapter 462 of the Public Local Laws of 1939, relating to the sale of beer, wine, and alcoholic beverages within certain distances of churches and public schools in the town of Haysville, Clay County, and to reenact Chapter 157 of the Public Local Laws of 1935, relating to the sale of beer or other alcoholic beverages in the town of Haysville, Clay County, and Clay County.

Passes its second and third readings and is ordered enrolled.

H. B. 776, a bill to amend Chapter 223 of the Public Local Laws of 1941, relative to the civil service commission of the city of Wilmington. Passes its second and third readings and is ordered enrolled.

H. B. 796, a bill to provide a hog cholera prevention program for Tyrrell and Hyde Counties, and to permit the sale and use of hog cholera vaccine therefor.

Passes its second and third readings and is ordered enrolled.

H. B. 797, a bill to abolish the office of treasurer of Rutherford County.

Passes its second and third readings and is ordered enrolled.

H. B. 732, a bill relating to the prevention of cruelty to animals in Wake County.

Senator Ballentine offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 824, a bill to authorize and empower the county commissioners of Currituck County to appoint an assistant judge of the recorder's court of said county.

Upon motion of Senator Johnson of Duplin, action on the bill is deferred until Monday, March 8, 1943.

H. B. 825, a bill to extend the police power of the town of Mooresville to outside territory.

Passes its second and third readings and is ordered enrolled.

H. B. 828, a bill to amend Chapter 483 of the Public Local and Private Laws of the Session of 1935, relating to the salaries of public officers in Granville County, their assistants, deputies and stenographers.

Passes its second and third readings and is ordered enrolled.

H. B. 830, a bill to provide for the burial of indigents dying in Guilford County.

Passes its second and third readings and is ordered enrolled.

H. B. 412, a bill to regulate privately owned cemeteries which are operated for private gain or profit.

Passes its second and third readings and is ordered enrolled.

H. B. 452, a bill to authorize any board of county commissioners and municipal authorities to aid in the war effort by contributions to local organizations of official State and Federal governmental agencies.

The amendment offered by the Committee is adopted.

Senator Hodges offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 499, a bill to amend Chapter 88 of the Public Laws of 1931, relating to evidence in civil actions arising out of motor vehicle accidents, so as to substitute "Commissioner of Motor Vehicles" for "Commissioner of Revenue."

Passes its second and third readings and is ordered enrolled.

H. B. 581, a bill to amend Section 76, Volume 1 of the Consolidated Statutes of 1919, as amended, relating to conveyances of real property of a decedent by the devisees or heirs at law of such decedent.

The bill passes its second reading.

Upon objection of Senator Funderburk to its third reading, the bill remains upon the Calendar.

H. B. 633, a bill to amend Section 2308 of the Consolidated Statutes, relating to interest on obligations due guardians, so as to make the rate of interest at least 4% and not more than the legal maximum.

Upon motion of Senator Johnson of Duplin, action on the bill is deferred until Monday, March 8, 1943.

H. B. 660, a bill to amend Section 927 of the Consolidated Statutes, relating to the bond of clerks of the Superior Court.

Senator Hudgins offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 672, a bill to amend Chapter 158 of the Public Laws of 1939, as amended, the same being the Revenue Act of 1939, relating to the deduction of contributions from taxable income.

Passes its second and third readings and is ordered enrolled.

H. B. 680, a bill to regulate child labor in North Carolina by amending Chapter 317 of the Public Laws of 1937.

Passes its second and third readings and is ordered enrolled.

H. B. 686, a bill to authorize the Governor and Council of State to waive claim of State to compensation for lands claimed by individuals in the New River Marine Base area.

Passes its second and third readings and is ordered enrolled.

H. B. 687, a bill to amend the North Carolina Workmen's Compensation Act by making it applicable to members of the National Guard and the State Guard while at drill, in camp, and on special duty under orders of the Governor.

Passes its second and third readings and is ordered enrolled.

H. B. 700, a bill to amend Section 3484 of the Consolidated Statutes



of North Carolina of 1919, so as to permit the Governor to appoint policemen for transportation companies.

Passes its second and third readings and is ordered enrolled.

S. B. 262, a bill relating to withdrawal of deposits from the State Employees' Credit Union.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 308, a bill to place the control of hog cholera and other swine diseases in the Department of Agriculture, to define certain duties of said department and to regulate the sale, distribution and use of hog cholera virus and similar products.

Passes its second and third readings and is ordered enrolled.

H. B. 505, a bill to amend Chapter 368 of the Public Laws of 1941, which amended Chapter 324 of the Public Laws of 1933, known as the North Carolina Fertilizer Laws of 1933, as amended.

Passes its second and third readings and is ordered enrolled.

H. B. 621, a bill authorizing the State School Commission to compensate J. H. Williams, father and guardian of Howard Williams and Elsie Williams, both minors, Mrs. Annie Kelbaugh, mother and guardian of Annie May Kelbaugh, a minor, Mrs. Effie Marcom, mother and guardian of Leonard Marcom, a minor, E. A. King, father and guardian of Weldon King, a minor, for personal injuries sustained by reason of a school bus wreck on March 21, 1941.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 631, a bill to amend Chapter 178 of the Public Laws of 1935, relating to forest fire control.

Passes its second and third readings and is ordered enrolled.

H. B. 632, a bill to amend Section 4309 of the Consolidated Statutes, as amended, relating to setting fire to woodlands, so as to make willful or malicious act in violation thereof a felony.

Passes its second and third readings and is ordered enrolled.

H. B. 637, a bill to reimburse C. C. Hill for damages to a Ford pick-up truck caused by a school bus.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 647, a bill to prescribe a method of releasing powers of appointment.

Passes its second and third readings and is ordered enrolled.

H. B. 665, a bill to amend Section 1403 of Chapter 310 of the Public Laws of 1939, relating to penalties and discounts on taxes.

Passes its second and third readings and is ordered enrolled.

H. B. 666, a bill to reimburse T. J. Gilliland for damages caused by a mule being struck and killed by a school bus.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is

ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 693, a bill to authorize the State School Commission to reimburse Tom Jackson for damages to his automobile through collision with a school bus in Pitt County on February 23, 1943.

Passes its second and third readings and is ordered enrolled.

H. B. 707, a bill to compensate the parents of Patsy Long Newman, a minor, for her death from injuries sustained through a negligent school bus wreck near Cary, Wake County, North Carolina.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 690, a bill to amend Section 7109 of the Consolidated Statutes of 1919, as amended, relative to the registration of certificates of birth and death.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Johnson of Duplin, the Senate adjourns to meet Monday afternoon at 4 o'clock.

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### FIFTY-THIRD DAY

SENATE CHAMBER,  
Monday, March 8, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Chaffin for the Committee on Journal announces that he has examined the Journal of Saturday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Pittman, the courtesies of the lobby are extended to Miss Nora Chaffin, sister of Senator Chaffin of Harnett County, and Miss Alma Hull of the Duke University faculty.

Upon motion of Senator Funderburk, the courtesies of the lobby are extended to Mrs. Charlie Leggett.

Upon motion of Senator Funderburk, Miss Frances Brock, daughter of Senator Brock of Davie County, is made an honorary page of the Senate.

Upon motion of Senator McKee, the courtesies of the lobby are extended to Mrs. Mary Andrews Person of Raleigh, N. C., and Mrs. Richard Busbee of Raleigh, N. C.

Upon motion of Senator Sanders, H. B. 562, a bill for the relief of Rommie R. Glover, is taken from the unfavorable Calendar and referred to the Committee on Calendar.



## ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. R. 152, a joint resolution amending the joint resolution empowering the Governor to appoint a special committee for the purpose of investigating the facilities of the Caswell Training School and making recommendations as to how the said facilities may be expanded.

S. R. 200, a joint resolution authorizing an investigation of feeble-minded Negroes in the Goldsboro State Hospital and other places, and providing for a report and making of recommendations with respect thereto.

S. R. 223, a joint resolution creating a Zebulon Baird Vance Memorial Commission and defining the duties thereof.

S. R. 313, a joint resolution with respect to a suitable memorial for Andrew Jackson, James K. Polk and Andrew Johnson.

S. R. 339, resolution expressing appreciation to the incorporators, officers and contributing members of North Carolina Textile Foundation, Incorporated.

S. B. 28, an act to amend Section 29 of Chapter 407 of the Public Laws of 1937 so as to extend the time for renewing vehicle registrations one month, and to amend Section 75 of said Chapter so as to make said Section conform to the said amendment.

S. B. 132, an act authorizing counties to establish capital reserve funds.

S. B. 149, an act to amend Section 5062 of Volume 2 of the Consolidated Statutes of 1919, as amended by Chapter 193 of the Public Laws of 1923, relating to city juvenile courts and probation officers.

S. B. 151, an act for the adoption of a State bird.

S. B. 161, an act to extend the period during which counties, cities, towns, and sanitary districts may issue revenue bonds for the acquisition, construction, reconstruction, improvement, betterment, and extension of revenue producing undertakings as authorized by Chapter 2 of the Public Laws of the State of North Carolina, Extra Session of 1938.

S. B. 181, an act to amend Chapter 58, Public Laws, 1925, as amended by Chapter 328, Public Laws, 1931, pertaining to the definition of group life insurance.

S. B. 205, an act to validate corporate acknowledgments taken under certain conditions.

S. B. 213, an act to amend Chapter 198, Public Laws of 1921, providing for the registration of official discharges from the military and naval forces of the United States in the office of the register of deeds in the several counties of the State.

S. B. 222, an act to amend Chapter 53 of the Public Laws of 1935, as amended by Chapter 124 of the Public Laws of 1937, relating to the powers and duties of the North Carolina Commission for the Blind.

S. B. 255, an act to amend Chapter 98 of the Public Local Laws of 1941, relating to establishment of an airport authority for the

maintenance of airport facilities in the county of Guilford for the citizens of Greensboro, High Point, Guilford County and vicinity.

S. B. 256, an act to amend Section 6 of Chapter 100 of the Public Laws of North Carolina, Session 1927, relating to election of members of sanitary district boards.

S. B. 258, an act to authorize the State Board of Education to sell notes, obtained from loans made from the State literary fund, to the board of trustees of the Teachers' and State Employees' Retirement System of North Carolina.

S. B. 259, an act requiring certain bonds or guaranty or indemnity contracts to state their maximum liability, and specify the period of their coverage.

S. B. 260, an act to amend Sections 7758 and 7759 of the Consolidated Statutes so as to authorize the use of convicts on the State Test Farms and/or State Experimental Stations.

S. B. 264, an act to afford relief to Vernie Towe, widow, and Vaughtie Lucille Towe, minor child, of deputy sheriff William E. Towe, deceased, late of Yancey County, North Carolina.

S. B. 265, an act to fix the salaries of the judge and the prosecuting attorney of the recorder's court of Caldwell County.

S. B. 273, an act to amend Section 5875 of the Consolidated Statutes, relating to the compensation of the members of the board of directors of the State School for the Blind and Deaf at Raleigh.

S. B. 279, an act to authorize the refunding of deferred payments for license tags made by certain property hauling motor vehicle carriers affected by war conditions.

S. B. 284, an act providing that upon the extension of the corporate limits of any municipality, coterminous boundaries of city administrative units shall be likewise extended.

S. B. 290, an act relating to unclaimed fees of jurors and witnesses in Rutherford County.

S. B. 294, an act to authorize the Governor and Council of State at such time as mining developments justify such action to create within the Department of Conservation and Development a Bureau of Mines, to be located in Western North Carolina.

S. B. 295, an act to fix the term of grand juries in Caldwell County.

S. B. 298, an act to amend the charter of the town of Carolina Beach.

S. B. 303, an act to amend Section 2135 (a) of the Consolidated Statutes of North Carolina, relating to game.

S. B. 306, an act to authorize Gastonia Township in Gaston County, North Carolina, subject to the approval of majority of the qualified voters therein, to issue bonds for an airport and to authorize the levy and collection of an annual tax for the maintenance thereof.

S. B. 308, an act to amend Chapter 103 of the Consolidated Statutes of 1919, relating to the method of commitment to hospitals for the insane.

S. B. 310, an act relative to the collection of back taxes in New Hanover County and the city of Wilmington.

S. B. 316, an act to authorize the Governor and Council of State to provide from the Contingency and Emergency fund for demands



made on the Veterans Service Office occasioned by present war conditions.

S. B. 318, an act to amend Chapter 100 of the Public Laws of 1927, as amended, relating to sanitary districts so as to provide for the dissolution thereof.

S. B. 320, an act to rearrange the Sections and Articles of Chapter 97 of the General Statutes for codification purposes.

S. B. 321, an act to amend the North Carolina Workmen's Compensation Act, Chapter 120, Public Laws of 1929, as amended by Chapter 449, Public Laws of 1933, so as to give the employer the exclusive right of action against the third party within six months and to provide for prorating attorney's fees in such cases.

S. B. 331, an act to authorize the commissioners of Jackson County to levy a special hospital tax.

S. B. 332, an act to authorize the allocation of funds from the Contingency and Emergency fund to defray administrative expenses provided for in conjunction with the creation of unified boards of directors for certain State hospitals and correctional institutions.

S. B. 333, an act to prohibit the manufacture or sale of anti-freeze solutions compounded with inorganic salts or petroleum distillates.

S. B. 336, an act to authorize the Governor and Council of State to allocate additional funds from the Contingency and Emergency fund to Pembroke State College for Indians for the next biennium.

S. B. 337, an act to amend Sections 5735 and 5737 of Volume 3 of the Consolidated Statutes and Chapter 359 of the Public Laws of 1931, relating to the terms of office and per diem of the members of the Textbook Commission on Elementary Textbooks and the State Committee on High School Textbooks.

S. B. 338, an act relating to the fees of the register of deeds of Columbus County for furnishing certified copies of records.

S. B. 345, an act to discontinue certain terms of Superior Court in Moore County and provide for trial of uncontested divorce cases at any criminal term of Superior Court of said county by consent of the presiding judge.

S. B. 346, an act to amend Chapter 102 of the Public Local Laws of 1939, being "An Act to fix the salary of the coroner of the county of Pasquotank."

S. B. 347, an act to regulate the release and hunting of foxes in Southpoint Township of Gaston County.

S. B. 349, an act with reference to the Great Seal of the State and the seal of any department of the State, and the seals of courts of record, amending Section 7650 of the Consolidated Statutes.

S. B. 350, an act to extend the term of office of the mayor and board of aldermen of the town of Canton, Haywood County, North Carolina, also the term of office of Charles R. Rhodarmer and Goble McCracken, Beaverdam Township School Committeemen.

H. B. 18, an act to amend the Machinery Act of 1939, the same being Chapter 310 of the Public Laws of 1939, as amended and supplemented by Chapters 36, 125, 221, 282 and 327 of the Public Laws of 1941, and as otherwise amended.

H. B. 106, an act to provide for compensation for the injury of Thelma Farthing, a school child of Watauga County, received while buses were loading after school.

H. B. 116, an act to amend Chapter 456 of the Public Laws of 1935, as amended, known as "The Housing Authorities Law," relating to the creation of housing authorities to engage in slum clearance and projects to provide dwelling accommodations for persons of low income (including farmers of low income) and to define their powers.

H. B. 153, an act to amend Section 74 of the Consolidated Statutes of North Carolina, which provides for the sale of realty if personalty is insufficient for debts, so as to authorize the clerk of the Superior Court to pay the dower interest in cash unless the widow elects to receive the income therefrom.

H. B. 278, an act to amend Section 6 of Chapter 132 of the Public Laws of 1937, relating to the appointment of the director of probation.

H. B. 292, an act to amend Section 2787 of the Consolidated Statutes, as amended, Chapter 52 of the Public Laws of 1935, and Chapter 407 of the Public Laws of 1937, to grant to cities and towns the power to regulate and control drivers and operators of taxicabs and to tax vehicles used as taxicabs.

H. B. 308, an act to place the control of hog cholera and other swine diseases in the Department of Agriculture, to define certain duties of said department and to regulate the sale, distribution and use of hog cholera virus and similar products.

H. B. 352, an act to amend Chapter 314 of the Public Laws of 1939, relating to the issuance of marriage licenses to persons previously adjudged of unsound mind.

H. B. 361, an act to regulate and fix the liability of tobacco warehousemen for liens on the tobacco sold at auction on warehouse floors.

H. B. 368, an act to reimburse Lloyd Church of Avery County for medical and hospital expenses expended on behalf of his minor child for injuries caused by school bus.

H. B. 412, an act to regulate privately owned cemeteries which are operated for private gain or profit.

H. B. 438, an act to authorize the board of commissioners of Anson County to appoint rural policemen and fix their salaries, and to provide for the collection of delinquent taxes.

H. B. 442, an act to amend Chapter 441, Public Laws of 1931, relating to special levies in certain counties.

H. B. 478, an act to correct the calls of State Grant 18852 for land in Dare County, issued to Alethia M. Midgett.

H. B. 490, an act to amend Chapter 407 of the Public Laws of 1937, as amended, relating to the registration of motor vehicles and the payment of fees therefor, etc.

H. B. 491, an act to amend Chapter 52 of the Public Laws of 1935, the same being the Uniform Drivers' License Act, so as to dispense with the necessity of a chauffeur's badge due to war restrictions on metal.

H. B. 499, an act to amend Chapter 88 of the Public Laws of 1931, relating to evidence in civil actions arising out of motor vehicle acci-



dents, so as to substitute "Commissioner of Motor Vehicles" for "Commissioner of Revenue."

H. B. 501, an act to amend the charter to extend the corporate limits of the city of New Bern.

H. B. 505, an act to amend Chapter 368 of the Public Laws of 1941, which amended Chapter 324 of the Public Laws of 1933, known as the North Carolina Fertilizer Law of 1933, as amended.

H. B. 551, an act adopting a standard form of agricultural lien and chattel mortgage, chattel mortgage, and title note, and fixing the fees for recording same in Johnston County.

H. B. 556, an act to amend Section 1443 of the Consolidated Statutes of 1919, as amended, relating to the several terms of Superior Court for Union County.

H. B. 559, an act to amend the charter of the town of Wrightsville Beach.

H. B. 572, an act authorizing the board of commissioners of Transylvania County to levy special taxes for the expenses of the offices of county accountant, county farm agent, and county home demonstration agent, and for the expenses of forest fire protection.

H. B. 574, an act to amend Chapter 460 of the Public Local Laws of 1931, as amended, relating to the peace officers' relief fund of the county of Pitt.

H. B. 587, an act to provide procedure for holding a special election on the question of further operating and maintaining the liquor stores at Southern Pines and Pinehurst, Moore County.

H. B. 605, an act authorizing the board of county commissioners to exempt properties taken for military reservations and airports from taxation for the year 1943.

H. B. 631, an act to amend Chapter 178 of the Public Laws of 1935, relating to forest fire control.

H. B. 632, an act to amend Section 4309 of the Consolidated Statutes, as amended, relating to setting fire to woodlands, so as to make wilful or malicious acts in violation thereof a felony.

H. B. 638, an act to amend Section 8 of Article X of the Constitution of North Carolina, relating to deeds to homesteads, to provide for a vote of the people on the question of abolishing private examination of married women.

H. B. 643, an act to repeal Chapter 462 of the Public Local Laws of 1939, relating to the sale of beer, wine, and alcoholic beverages within certain distances of churches and public schools in the town of Haysville, Clay County, and to re-enact Chapter 157 of the Public Local Laws of 1935, relating to the sale of beer or other alcoholic beverages in the town of Haysville, Clay County, and Clay County.

H. B. 645, an act to authorize the commissioners of Burke County to reimburse Roy Morrison, former rural policeman, for money paid by him in settlement of claims of the estate of E. A. Beck, who was injured in a collision with a car operated by Roy Morrison while in the discharge of his official duties as rural policeman for Burke County, not to exceed \$1,000.00.

H. B. 647, an act to prescribe a method of releasing powers of appointment.

H. B. 662, an act to amend Chapter 366 of the Public Local Laws of North Carolina of 1939, same being "An Act to continue the incorporation of the city of Charlotte and to codify, amend and consolidate the statutes that constitute the charter of the city of Charlotte, and to repeal certain acts and portions of certain acts constituting a part of its present charter."

H. B. 665, an act to amend Section 1403 of Chapter 310 of the Public Laws of 1939, relating to penalties and discounts on taxes.

H. B. 672, an act to amend Chapter 158 of the Public Laws of 1939, as amended, the same being the Revenue Act of 1939, relating to the deduction of contributions from taxable income.

H. B. 674, an act to create a retirement system for the employees of New Hanover County.

H. B. 680, an act to regulate child labor in North Carolina by amending Chapter 317 of the Public Laws of 1937.

H. B. 686, an act to authorize the Governor and Council of State to waive claim of State to compensation for lands claimed by individuals in the New River Marine Base area.

H. B. 687, an act to amend the North Carolina Workmen's Compensation Act by making it applicable to members of the National Guard and the State Guard while at drill, in camp, and on special duty under orders of the Governor.

H. B. 690, an act to amend Section 7109 of the Consolidated Statutes of 1919, as amended, relative to the registration of certificates of birth and death.

H. B. 692, an act to validate certain acts of the governing body of the city of Charlotte with respect to special assessments.

H. B. 693, an act to authorize the State School Commission to reimburse Tom Jackson for damages to his automobile through collision with a school bus in Pitt County on February 23, 1943.

H. B. 700, an act to amend Section 3484 of the Consolidated Statutes of North Carolina of 1919 so as to permit the Governor to appoint policemen for transportation companies.

H. B. 713, an act to amend Chapter 423 of the Public Local Laws of 1935, relating to the creation of the office of tax collector for Surry County and to provide for the appointment of tax collectors in Surry County and for the creation of tax collection districts.

H. B. 718, an act authorizing the clerk of the Superior Court of Wake County to appoint two assistant clerks.

H. B. 728, an act to provide for a survey of certain property and State waters in Currituck County.

H. B. 737, an act to permit the board of county commissioners of Guilford County, the tax levying authorities of Greensboro City Administrative Unit to levy an additional tax upon the property in said administrative unit for the maintenance of plant and fixed charges therein.

H. B. 740, an act to amend and extend the provisions of Chapter 408, Public Local Laws of North Carolina, Session 1915, same being an act to authorize the commissioners of Henderson County to levy a special hospital tax.

H. B. 750, an act to amend Section 1443 of the Consolidated Statutes



of North Carolina, providing for terms of the Superior Court in the Twelfth Judicial District.

H. B. 762, an act to validate sales of land for taxes in the county of Robeson and municipalities therein made during the years 1941 and 1942 and confirming settlements and adjustments of taxes heretofore made by the governing body of Robeson County and the governing body of the municipalities therein.

H. B. 774, an act to make certain provisions with respect to a recorder's court in the town of Elkin.

H. B. 776, an act to amend Chapter 223 of the Public Local Laws of 1941, relative to the civil service commission of the city of Wilmington.

H. B. 780, an act providing for tax sales on delinquent taxes for the years 1939, 1940, 1941 and 1942 in the town of Garysburg.

H. B. 783, an act to amend Chapter 201 of the Public Laws of 1935, relating to the terms of Superior Court of Nash County.

H. B. 785, an act to apply certain delinquent taxes of Carteret County to debt service purposes.

H. B. 786, an act to exempt Johnston County from the operation of Section 1461 of the Consolidated Statutes, as amended.

H. B. 788, an act appointing H. L. Fisher to fill a vacancy on the board of commissioners of the town of Mount Pleasant to succeed S. R. McEachern, resigned.

H. B. 792, an act to empower the commissioners of the town of Wilson, North Carolina to adjust past due assessments.

H. B. 795, an act to amend the charter of the town of Morganton, changing the corporate name thereof to city of Morganton.

H. B. 796, an act to provide a hog cholera prevention program for Tyrrell and Hyde Counties, and to permit the sale and use of hog cholera vaccine therefor.

H. B. 797, an act to abolish the office of treasurer of Rutherford County.

H. B. 802, an act regulating the payment of witness fees to salaried officers in Lenoir County.

H. B. 808, an act to fix the compensation of the board of commissioners of Brunswick County.

H. B. 816, an act relating to the fees collected by the clerk of the Superior Court of Carteret County by amending Section 3903 of the Consolidated Statutes of 1919, and as amended.

H. B. 817, an act relating to the salary of the surveyor of Carteret County.

H. B. 818, an act to amend Section 1443 of the Consolidated Statutes of North Carolina, relating to the terms of the Superior Courts, so as to change the terms in Franklin County.

H. B. 819, an act to amend Section 2 of Chapter 26 of the Private Laws of 1935, relating to the appointment of the board of education for the Lexington City Administrative Unit.

H. B. 821, an act relating to the board of trustees of the Haywood County Hospital.

H. B. 825, an act to extend the police power of the town of Mooresville to outside territory.

H. B. 828, an act to amend Chapter 483 of the Public Local Laws of the Session of 1935, relating to the salaries of public officers in Granville County, their assistants, deputies and stenographers.

H. B. 830, an act to provide for the burial of indigents dying in Guilford County.

H. B. 839, an act to fix the penalty on delinquent taxes in Camden County at 6% per annum.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Carlyle, for the Committee on Calendar:

S. B. 357, a bill to extend the term of office of the police judge and city solicitor in the town of Canton, Haywood County, North Carolina, for a period of two years, with a favorable report.

H. B. 96, a bill to amend Chapter 288 of the Public Laws of 1937 as amended by Chapter 395 of the Public Laws of 1939 and Chapter 232 of the Public Laws of 1941, to provide for the transfer of funds from the State old age assistance fund to the aid to dependent children fund and from the State aid to dependent children fund to the old age assistance fund, and to amend Section 62, Chapter 288 of the Public Laws of 1937 with regard to the equalizing fund for old age assistance and aid to dependent children, with an unfavorable report.

H. B. 570, a bill relating to the fees of the clerk of the Superior Court of Avery County, with an unfavorable report.

H. B. 697, a bill to extend the term of office of the register of deeds and the tax collector of Mitchell County to four years, with an unfavorable report.

H. B. 789, a bill to require the board of county commissioners of Currituck County to publish its minutes in some newspaper having a circulation in the county and to provide funds for the payment of the costs thereof, with an unfavorable report.

H. B. 798, a bill to amend Chapter 179 of the Private Laws of 1927, to authorize the leasing of Lake Lure, with a favorable report.

H. B. 799, a bill to amend Chapter 205 of the Private Laws of 1935, relating to bonds of the town of Lake Lure, with a favorable report.

H. B. 826, a bill amending Chapter 2 of the Public Laws, Extra Session of 1938, the same being the Revenue Bond Act of 1938, so as to extend the time for issuance of revenue bonds by municipalities of Brunswick and Onslow Counties, with a favorable report, as amended.

H. B. 846, a bill to repeal Chapter 98 of the Public Laws of 1931, relating to the Commission for the improvement of the laws, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Farthing: S. B. 358, a bill to authorize the board of county commissioners of Watauga County and the governing bodies of the municipalities therein to refuse to issue wine and beer licenses.



Upon motion of Senator Farthing, the rules are suspended and the bill is taken up for immediate consideration.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Johnson of Duplin: S. R. 359, a resolution commending the Postmaster, D. Staton Inscoe and H. B. Campen and J. C. Gay, clerks in charge of the sub-station for the services rendered to this General Assembly.

Upon motion of Senator Johnson of Duplin, the rules are suspended and the resolution is taken up for immediate consideration.

Passes its second and third readings and is ordered sent to the House of Representatives.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 270, a bill to amend Chapter 263 of the Public Laws of 1941, relating to live stock markets.

Referred to Committee on Calendar.

H. B. 579, a bill to amend Section 5761, Volume 3 of the Consolidated Statutes, as amended, relating to compulsory attendance in public schools of the State.

Referred to Committee on Calendar.

H. B. 585, a bill to amend Sections 2500, 2502 and 2504 of the Consolidated Statutes of 1919, relating to issuance of marriage licenses by register of deeds, to provide for issuance of licenses in duplicate, and to require the signature of two witnesses on the return.

Referred to Committee on Calendar.

H. B. 604, a bill to provide that a portion of the appropriation for each year for State aid for public libraries shall be set aside as a special equalizing fund.

Referred to Committee on Calendar.

H. B. 668, a bill to amend H. B. 279, relative to the temporary re-investment of the proceeds of the sale of contingent remainders.

Referred to Committee on Calendar.

H. B. 710, a bill providing for election of benefits for members of burial associations serving in the military and naval forces of the United States.

Referred to Committee on Calendar.

H. B. 715, a bill to amend Chapter 47, Section 15, Public Laws of 1927, the same being Section 223 (f), Volume 3, Consolidated Statutes, so as to authorize the State Banking Commission to reduce the fees for examinations of banks.

Referred to Committee on Calendar.

H. B. 729, a bill to amend Section 7198, Volume 2 of the Consolidated Statutes of 1919, relating to the control and treatment of venereal diseases.

Referred to Committee on Calendar.

H. B. 787, a bill to amend Chapter 407 of the Public Laws of 1937, relating to automobile registration cards.

Referred to Committee on Calendar.

H. B. 843, a bill to prohibit the operation of pool tables in public places in Yadkin County during certain hours.

Referred to Committee on Calendar.

H. B. 847, a bill to authorize the Commissioner of Revenue, with the approval of the Governor and Council of State, to enter into and act pursuant to agreements with the United States or with any other State or political subdivision thereof for the purpose of coordinating the administration of taxes imposed by this State, the United States, or any other State or political subdivision thereof.

Referred to Committee on Calendar.

H. R. 848, a joint resolution authorizing a special commission to be appointed by the Governor for the purpose of continued study of a building program for the State, and allocating space to the State Constitutional offices of auditor, treasurer, and secretary of State, and for other purposes.

Referred to Committee on Calendar.

H. B. 803, a bill to provide for the disposition by the Secretary of State of surplus copies of the Consolidated Statutes of North Carolina, consisting of Volumes 1, 2 and 3.

Referred to Committee on Calendar.

H. B. 804, a bill to extend the time for registering grants.

Referred to Committee on Calendar.

H. R. 811, a joint resolution to encourage the North Carolina youth of the rural sections to remain at home and find contentment in their surroundings.

Referred to Committee on Calendar.

H. B. 835, a bill relating to real estate conveyances heretofore made by the town of Elm City.

Referred to Committee on Calendar.

H. B. 836, a bill to amend Section 1564 of the Consolidated Statutes of North Carolina, relating to the salary of the recorder of the recorder's court of Perquimans County.

Referred to Committee on Calendar.

H. B. 838, a bill to reduce certain fees in the recorder's court of Anson County.

Referred to Committee on Calendar.

H. B. 822, a bill to amend Chapter 358, Public Laws of 1939, relating to the disbursement of State school funds.

Referred to Committee on Calendar.

H. R. 827, a resolution providing for the appointment of a commission to study law enforcement and prevention of crime in the State of North Carolina, and to report to the next Session of the General Assembly.

Referred to Committee on Calendar.

H. B. 832, a bill to authorize the board of commissioners of Surry County to increase the salary of the register of deeds.

Referred to Committee on Calendar.

S. B. 84, a bill to amend Chapter 25 of the Public Laws of 1941, creating a Teachers' and State Employees' Retirement System in North Carolina, to permit the board of trustees to make regulations



preventing injustices and inequalities not otherwise covered by the Act, and to permit the re-employment of teachers and State employees who have retired on account of age when needed during any emergency, for concurrence in the House amendment.

The bill is placed upon today's Calendar.

S. B. 225, a bill to amend Article 13 of Chapter 96, and Chapter 121 of the Consolidated Statutes, as amended, and Chapter 219 of the Public Laws of 1927, as amended, relating to the management of the Stonewall Jackson Manual Training and Industrial School for Boys, the Industrial Farm Colony for Women, the State Home and Industrial School for Girls and the Morrison Training School, so as to provide for the appointment of a unified board of directors for such institutions and to provide for the appointment of a general superintendent and a general business manager thereof, for concurrence in the House amendment.

The bill is placed upon today's Calendar.

S. B. 239, a bill to amend the School Machinery Act, the same being Chapter 358, Public Laws of 1939, as amended, for concurrence in the House amendment.

The bill is placed upon today's Calendar.

S. B. 240, a bill to require each State agency of the State of North Carolina which has been created by statute and exercises regulatory, administrative or semi-judicial functions, to file with the Secretary of State, copies of administrative rules and regulations or rules of practice and procedure and amendments thereto, for concurrence in the House amendment.

The bill is placed upon today's Calendar.

S. B. 254, a bill to declare the necessity of creating public bodies corporate and politic to be known as hospital authorities to engage in hospital construction, maintenance and operation and/or projects, to provide hospital accommodations; to provide for the creation of such hospital authorities, to define the powers and duties of hospital authorities and to provide for the exercise of such powers, including acquiring property by purchase, gift or eminent domain and including borrowing money, issuing revenue and credit bonds and other obligations, and giving security therefor; to confer remedies on obligees of hospital authorities; to provide that hospital authorities, and certain property and securities thereof shall be tax exempt, for concurrence in a material House amendment.

Upon motion of Senator Cherry, the Senate concurs in the House amendment constituting the first reading of the bill and the bill takes its place on the second reading roll call Calendar.

S. B. 292, a bill to provide for an election on the question of the extension of the corporate limits of the city of Statesville, for concurrence in the House amendment.

The bill is placed upon today's Calendar.

H. B. 553, a bill to amend Chapter 261 of the Public Laws of 1927, as amended, the same being an Act to provide uniform weights and measures, and to amend Section 5085 of the Consolidated Statutes of North Carolina, relating to cotton weighing.

Referred to Committee on Calendar.

H. B. 619, a bill to amend Chapter 407 of the Public Laws of 1937, as amended, relating to motor vehicles.

Referred to Committee on Calendar.

H. R. 725, a joint resolution to authorize the Governor to appoint a commission to make a study of the printing and distribution of periodicals and periodical reports by all institutions, departments, commissions, bureaus or other branches of the State Government.

Referred to Committee on Calendar.

H. B. 731, a bill to amend Section 191 (1) of the Consolidated Statutes of North Carolina, relating to the correction of adoption proceedings.

Referred to Committee on Calendar.

H. B. 739, a bill for the relief of Lula Deese, Roberta Deese, Jeanette Deese and Keith Deese, and to reimburse Robert H. Deese for damages to automobile and medical expenses incurred through collision of Robert H. Deese automobile with State Highway Patrol car operated by Patrolman R. Hal Maney in Union County, North Carolina, on Highway No. 74 on October 5, 1941.

Referred to Committee on Calendar.

H. B. 757, a bill to amend Chapter 245, Public Laws of 1935, relating to compensation for school children killed and/or injured as a result of the operation of a school bus.

Referred to Committee on Calendar.

H. B. 758, a bill to amend Chapter 265, Public Laws of 1925, relating to safety in the transportation of school children of North Carolina.

Referred to Committee on Calendar.

H. B. 794, a bill to appoint justices of the peace for the several counties of North Carolina.

Referred to Committee on Calendar.

H. R. 834, a joint resolution suggesting that the Highway and Public Works Commission adopt a policy of greater attention of secondary road system of North Carolina.

Referred to Committee on Calendar.

HOUSE OF REPRESENTATIVES,  
Monday, March 8, 1943.

*Mr. President:*

It is ordered that a message be sent your Honorable Body requesting the return of S. B. 240, entitled "A bill to require each State agency of the State of North Carolina, which has been created by statute and exercises regulatory, administrative or semi-judicial functions to file with the Secretary of State copies of administrative rules and regulations, or rules of practice and procedure, and amendments thereto," for further consideration by the House of Representatives.

Respectfully,

SHEARON HARRIS, *Principal Clerk.*

Upon motion of Senator Carlyle, the bill is ordered returned to the House of Representatives.



## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 793, a bill to legalize and validate certain outstanding bonds of Hendersonville Graded School District and to provide for the refunding of said bonds, upon third reading.

The bill passes its third reading by roll call vote, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, McKee, O'Berry, Palmer, Pittman, Price, Sanders, Smith, Taylor, Wade, Watkins, Weathers, Whitaker, Wilson—40.

The bill is ordered enrolled.

H. B. 824, a bill to authorize and empower the county commissioners of Currituck County to appoint an assistant judge of the recorder's court of said county.

Upon motion of Senator Evans, the bill is laid upon the Table.

H. B. 581, a bill to amend Section 76, Volume 1 of the Consolidated Statutes of 1919, as amended, relating to conveyances of real property of a decedent by the devisees or heirs at law of such decedent.

The bill passes its third reading and is ordered enrolled.

Upon motion of Senator Hudgins, the vote by which the bill passed its third reading is reconsidered and the bill is re-referred to the Committee on Calendar.

S. B. 125, a bill to authorize and empower the acquisition by the State of North Carolina for park purposes of parts of certain lands located in Avery, Caldwell and Watauga Counties, known as Grandfather Mountain.

The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives.

Upon motion of Senator Carlyle, the Senate recesses to meet this afternoon at 5:15 o'clock.

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AFTERNOON SESSION

SENATE CHAMBER,  
Monday, March 8, 1943.

The Senate meets pursuant to recess, and is called to order by Lieutenant Governor R. L. Harris.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Carlyle, for the Committee on Calendar:

H. B. 270, a bill to amend Chapter 263 of the Public Laws of 1941, relating to live stock markets, with a favorable report.

H. B. 553, a bill to amend Chapter 261 of the Public Laws of 1927, as amended, the same being an Act to provide uniform weights and measures, and to amend Section 5085 of the Consolidated Statutes of North Carolina, relating to cotton weighing, with a favorable report, as amended.

H. B. 562, a bill for the relief of Rommie R. Glover, with a favorable report.

H. B. 585, a bill to amend Sections 2500, 2502, and 2504 of the Consolidated Statutes of 1919, relating to issuance of marriage licenses by register of deeds, to provide for issuance of licenses in duplicate, and to require the signature of two witnesses on the return, with an unfavorable report.

H. B. 604, a bill to provide that a portion of the appropriation for each year for State aid for public libraries shall be set aside as a special equalizing fund, with an unfavorable report.

H. B. 619, a bill to amend Chapter 407 of the Public Laws of 1937, as amended, relating to motor vehicles, with a favorable report.

H. B. 668, a bill to amend H. B. 279, relative to the temporary reinvestment of the proceeds of the sale of contingent remainders, with a favorable report.

H. B. 710, a bill providing for election of benefits for members of burial associations serving in the military and naval forces of the United States, with a favorable report.

H. B. 715, a bill to amend Chapter 47, Section 15, Public Laws of 1927, the same being Section 223 (f), Volume 3, Consolidated Statutes, so as to authorize the State Banking Commission to reduce the fees for examinations of banks, with a favorable report.

H. R. 725, a joint resolution to authorize the Governor to appoint a commission to make a study of the printing and distribution of periodicals and periodical reports by all institutions, departments, commissions, bureaus or other branches of the State government, with an unfavorable report.

H. B. 729, a bill to amend Section 7198, Volume 2 of the Consolidated Statutes of 1919, relating to the control and treatment of venereal diseases, with a favorable report.

H. B. 731, a bill to amend Section 191 (1) of the Consolidated Statutes of North Carolina, relating to the correction of adoption proceedings, with a favorable report.

H. B. 787, a bill to amend Chapter 407 of the Public Laws of 1937, relating to automobile registration cards, with a favorable report.

H. B. 794, a bill to appoint justices of the peace for the several counties of North Carolina, with a favorable report, as amended.

H. B. 803, a bill to provide for the disposition by the Secretary of State of surplus copies of the Consolidated Statutes of North Carolina consisting of Volume 1, 2, and 3, with a favorable report.

H. B. 804, a bill to extend the time for registering grants, with an unfavorable report.

H. R. 811, a joint resolution to encourage the North Carolina youth



of the rural sections to remain at home and find contentment in their surroundings, with an unfavorable report.

H. B. 815, a bill to amend Section 5412 of the Consolidated Statutes of 1919 in so far as the same relates to Jackson County, with a favorable report.

H. B. 822, a bill to amend Chapter 358, Public Laws of 1939, relating to the disbursement of State school funds, with a favorable report, as amended.

H. R. 827, a resolution providing for the appointment of a commission to study law enforcement and prevention of crime in the State of North Carolina and to report to the next Session of the General Assembly, with an unfavorable report.

H. B. 832, a bill to authorize the board of commissioners of Surry County to increase the salary of the register of deeds, with a favorable report.

H. R. 834, a joint resolution suggesting that the Highway and Public Works Commission adopt a policy of greater attention to secondary road system of North Carolina, with an unfavorable report.

H. B. 835, a bill relating to real estate conveyances heretofore made by the town of Elm City, with a favorable report.

H. B. 836, a bill to amend Section 1564 of the Consolidated Statutes of North Carolina, relating to the salary of the recorder of the recorder's court of Perquimans County, with a favorable report.

H. B. 838, a bill to reduce certain fees in the recorder's court of Anson County, with a favorable report.

H. B. 843, a bill to prohibit the operation of pool tables in public places in Yadkin County during certain hours, with a favorable report.

H. B. 847, a bill to authorize the Commissioner of Revenue with the approval of the Governor and Council of State to enter into and act pursuant to agreements with the United States or with any other State or political subdivision thereof for the purpose of coordinating the administration of taxes imposed by this State, the United States, or any other State or political subdivision thereof, with a favorable report.

H. R. 848, a joint resolution authorizing a special commission to be appointed by the Governor for the purpose of continued study of a building program for the State, and allocating space to the State constitutional offices of auditor, treasurer, and secretary of state, and for other purposes, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Gregory: S. B. 360, a bill to compensate the board of commissioners of Rowan County.

Upon motion of Senator Gregory, the rules are suspended and the bill is taken up for immediate consideration.

Passes its second and third readings and is ordered sent to the House of Representatives.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 584, a bill to amend Chapter 180 of the Public Local Laws of 1939, which is an Act to fix the salaries of officers of Yadkin County, to provide for clerical assistance for the clerk of the Superior Court and the register of deeds.

Referred to Committee on Calendar.

H. B. 663, a bill to prevent devastation in the cutting of timber in this State and conserve the future timber wealth of North Carolina.

Referred to Committee on Calendar.

H. B. 709, a bill for the relief of Hattie Beck.

Referred to Committee on Calendar.

H. B. 726, a bill to amend Section 4128 of the Consolidated Statutes of North Carolina, relating to the age at which a person can dispose of property by will, so as to lower the age to eighteen.

Referred to Committee on Calendar.

H. B. 778, a bill to amend Chapter 159 of the Public Laws of 1939, providing for absentee electors to vote in general elections so as to provide for the return of the ballots to the chairman of the county board of elections issuing the same.

Referred to Committee on Calendar.

H. B. 845, a bill to empower the county commissioners of Perquimans County to allow the sheriff or tax collector the full 5% on all taxes collected for the county for the tax years 1942-43 and subsequent years.

Referred to Committee on Calendar.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 798, a bill to amend Chapter 179 of the Private Laws of 1927, to authorize the leasing of Lake Lure, upon second reading.

The bill passes its second reading by roll call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, O'Berry, Palmer, Pittman, Price, Sanders, Smith, Taylor, Wade, Watkins, Watson, Weathers, Whitaker—39.

H. B. 799, a bill to amend Chapter 205 of the Private Laws of 1935, relating to bonds of the town of Lake Lure, upon second reading.

The bill passes its second reading by roll call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin,



Cherry, Clark, Cole, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, O'Berry, Palmer, Pittman, Price, Sanders, Smith, Taylor, Wade, Watkins, Watson, Weathers, Whitaker—39.

H. B. 826, a bill amending Chapter 2 of the Public Laws, Extra Session of 1938, the same being the Revenue Bond Act of 1938, so as to extend the time for issuance of Revenue Bonds by municipalities of Brunswick and Onslow Counties, upon second reading.

The amendment offered by the Committee, held not to be material, is adopted.

The bill, as amended, passes its second reading by roll call vote, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barber, Barker, Benton, Blythe, Brock, Brown, Carlyle, Chaffin, Cherry, Clark, Cole, Eagles, Evans, Farthing, Funderburk, Graham, Gregory, Harrelson, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Lanier, Larkins, O'Berry, Palmer, Pittman, Price, Sanders, Smith, Taylor, Wade, Watkins, Watson, Weathers, Whitaker—39.

S. B. 357, a bill to extend the term of office of the police judge and the city solicitor in the town of Canton, Haywood County, North Carolina, for a period of two years.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 633, a bill to amend Section 2308 of the Consolidated Statutes, relating to interest on obligations due guardians, so as to make the rate of interest at least 4% and not more than the legal maximum.

Senator Hudgins offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 846, a bill to repeal Chapter 98 of the Public Laws of 1931, relating to the commission for the improvement of the laws.

Passes its second and third readings and is ordered enrolled.

S. B. 84, a bill to amend Chapter 25 of the Public Laws of 1941 creating a Teachers and State Employees Retirement System in North Carolina, to permit the board of trustees to make regulations preventing injustices and inequalities not otherwise covered by the Act and to permit the re-employment of teachers and State employees who have been retired on account of age when needed during any emergency, for concurrence in the House amendment.

Upon motion of Senator Wade, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 292, a bill to provide for an election on the question of the extension of the corporate limits of the city of Statesville, for concurrence in the House amendment.

Upon motion of Senator Graham, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 239, a bill to amend the School Machinery Act, the same being Chapter 358, Public Laws of 1939, as amended, for concurrence in the House amendment.

Upon motion of Senator Horton, the Senate concurs in the House amendment and the bill is ordered enrolled.

Upon motion of Senator O'Berry, the Senate recesses to meet tonight at 7:45 o'clock.

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#### EVENING SESSION

SENATE CHAMBER,  
Monday, March 8, 1943.

The Senate meets pursuant to recess, and is called to order by Lieutenant Governor R. L. Harris.

Upon motion of Senator Larkins, the courtesies of the lobby are extended to Mrs. Wade B. Matheny, wife of Senator Matheny of Rutherford County.

Upon motion of Senator Larkins, the courtesies of the floor are extended to Monroe Redden, Chairman of the State Democratic Executive Committee.

Upon motion of Senator Farthing, the courtesies of the lobby are extended to Homer W. Brookshire of Wilkes County.

The President extends the courtesies of the floor to former Senator Ryan McBryde.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 815, a bill to amend Section 5412 of the Consolidated Statutes of 1919 in so far as the same relates to Jackson County.

Passes its second and third readings and is ordered enrolled.

H. B. 832, a bill to authorize the board of commissioners of Surry County to increase the salary of the register of deeds.

Passes its second and third readings and is ordered enrolled.

H. B. 835, a bill relating to real estate conveyances heretofore made by the town of Elm City.

Passes its second and third readings and is ordered enrolled.

H. B. 836, a bill to amend Section 1564 of the Consolidated Statutes of North Carolina, relating to the salary of the recorder of the recorder's court of Perquimans County.

Passes its second and third readings and is ordered enrolled.

H. B. 838, a bill to reduce certain fees in the recorder's court of Anson County.

Passes its second and third readings and is ordered enrolled.

H. B. 843, a bill to prohibit the operation of pool tables in public places in Yadkin County during certain hours.

Passes its second and third readings and is ordered enrolled.

H. B. 270, a bill to amend Chapter 263 of the Public Laws of 1941, relating to live stock markets.

Passes its second and third readings and is ordered enrolled.



H. B. 562, a bill for the relief of Rommie R. Glover.

Passes its second and third readings and is ordered enrolled.

H. B. 668, a bill to amend H. B. 279, relative to the temporary reinvestment of the proceeds of the sale of contingent remainders.

Passes its second and third readings and is ordered enrolled.

H. B. 710, a bill providing for election of benefits for members of burial associations serving in the military and naval forces of the United States.

Passes its second and third readings and is ordered enrolled.

H. B. 715, a bill to amend Chapter 47, Section 15, Public Laws of 1927, the same being Section 223 (f), Volume III, Consolidated Statutes so as to authorize the State Banking Commission to reduce the fees for examinations of banks.

Passes its second and third readings and is ordered enrolled.

H. B. 729, a bill to amend Section 7198, Volume 2, of the Consolidated Statutes of 1919, relating to the control and treatment of venereal diseases.

Passes its second and third readings and is ordered enrolled.

H. B. 731, a bill to amend Section 191 (1) of the Consolidated Statutes of North Carolina, relating to the correction of adoption proceedings.

Passes its second and third readings and is ordered enrolled.

H. B. 787, a bill to amend Chapter 407 of the Public Laws of 1937, relating to automobile registration cards.

Passes its second and third readings and is ordered enrolled.

H. B. 803, a bill to provide for the disposition by the Secretary of State of surplus copies of the Consolidated Statutes of North Carolina consisting of Volumes 1, 2, and 3.

Passes its second and third readings and is ordered enrolled.

H. B. 822, a bill to amend Chapter 358, Public Laws of 1939, relating to the disbursement of State school funds.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 619, a bill to amend Chapter 407 of the Public Laws of 1937, as amended, relating to motor vehicles.

Passes its second and third readings and is ordered enrolled.

H. B. 847, a bill to authorize the Commissioner of Revenue with the approval of the Governor and Council of State to enter into and act pursuant to agreements with the United States or with any other State or political subdivision thereof for the purpose of coordinating the administration of taxes imposed by this State, the United States or any other State or political subdivision thereof.

Passes its second and third readings and is ordered enrolled.

H. R. 848, a joint resolution authorizing a special commission to be appointed by the Governor for the purpose of continued study of a building program for the State, and allocating space to the State Constitutional Offices of Auditor, Treasurer and Secretary of State, and for other purposes.

Upon motion of Senator Funderburk, the bill is laid upon the Table.

H. B. 794, a bill to appoint justices of the peace for the several counties of North Carolina.

The amendments offered by the Committee are adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate amendments.

Upon motion of Senator Cherry, the Senate adjourns to meet tomorrow morning at 11 o'clock.

### FIFTY-FOURTH DAY

SENATE CHAMBER,  
Tuesday, March 9, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Senator McKee of Jackson County.

Senator Chaffin for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Bailey, the courtesies of the lobby are extended to Mrs. I. H. Powell, Mrs. J. T. Powell, Mrs. Marsteller, Mrs. White, Mrs. Brooks and Mrs. Horton of Haywood County.

Upon motion of Senator Weathers, H. R. 725, a joint resolution to authorize the Governor to appoint a commission to make a study of the printing and distribution of periodicals and periodical reports by all institutions, departments, commissions, bureaus or other branches of the State Government, is taken from the unfavorable Calendar and re-referred to the Committee on Calendar.

Upon motion of Senator Evans, H. B. 833, a bill to allow the hunting, chasing, trapping and killing of foxes, bears, and rabbits at any time within Gates County, is taken from the unfavorable Calendar and re-referred to the Committee on Calendar.

### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. R. 307, a joint resolution calling upon all law enforcement agencies of the State to strictly enforce State laws against vagrancy, to aid in the war effort.

S. B. 154, an act conferring emergency war powers upon the Governor to protect the lives and property of the people of the State and promote the security of the State and Nation during the existing state of war.

S. B. 261, an act to appoint a commission to preserve the birthplace of Andrew Johnson in Raleigh, North Carolina.



S. B. 297, an act to provide for the creation of a retirement system for employees of the city of Wilmington, and to provide machinery for the proper administration thereof.

S. B. 329, an act to authorize and empower governing boards of counties, cities and towns to remit and refund taxes illegally collected and paid into the treasury of such municipality.

S. B. 344, an act to amend Section 1403 of Chapter 310 of the Public Laws of 1939, relating to discounts and penalties to provide a schedule of discounts and penalties on poll and property taxes for the county of Surry, the town of Mount Airy and the town of Elkin.

H. B. 452, an act to authorize any board of county commissioners and municipal authorities to aid in the war effort by contributions to local organizations of official State and Federal governmental agencies.

H. B. 637, an act to reimburse C. C. Hill for damages to a Ford pick-up truck caused by a school bus.

H. B. 660, an act to amend Section 927 of the Consolidated Statutes, relating to the bond of clerks of the Superior Court.

H. B. 666, an act to reimburse T. J. Gilliland for damages caused by a mule being struck and killed by a school bus.

H. B. 787, an act to amend Chapter 407 of the Public Laws of 1937, relating to automobile registration cards.

H. B. 803, an act to provide for the disposition by the Secretary of State of surplus copies of the Consolidated Statutes of North Carolina consisting of Volumes 1, 2 and 3.

H. B. 812, an act to repeal H. B. 415 as enacted by this Session of the General Assembly and ratified on the 25th day of February, 1943, which was entitled "An Act to relieve J. W. Cooper, former sheriff of Bertie County, and the estate of A. O. Askew, former deputy sheriff of Bertie County, from further liability for funds lost in defunct Citizens Bank of Windsor"; and to authorize and empower board of county commissioners of Bertie County to settle, on basis which will inure to best interest of Bertie County in its judgment, note of J. W. Cooper and A. O. Askew and collateral note of R. E. Tarkenton, and also liability of J. W. Cooper, former sheriff of Bertie County, and the estate of A. O. Askew, former deputy sheriff of Bertie County, from further liability for funds lost in defunct Citizens Bank of Windsor.

H. B. 835, an act relating to real estate conveyances heretofore made by the town of Elm City.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Carlyle, for the Committee on Calendar:

H. B. 663, a bill to prevent devastation in the cutting of timber in this State and conserve the future timber wealth of North Carolina, with an unfavorable report.

H. B. 709, a bill for the relief of Hattie Beck, with an unfavorable report.

H. B. 726, a bill to amend Section 4128 of the Consolidated Statutes of North Carolina, relating to the age at which a person can dispose of property by will, so as to lower the age to eighteen, with an unfavorable report.

H. B. 739, a bill for the relief of Lula Deese, Roberta Deese, Jeanette Deese and Keith Deese, and to reimburse Robert H. Deese for damages to automobile and medical expenses incurred through collision of Robert H. Deese automobile with State Highway Patrol car operated by Patrolman R. Hal Maney in Union County, North Carolina, on Highway No. 74, on October 5, 1941, with a favorable report, as amended.

H. B. 778, a bill to amend Chapter 159 of the Public Laws of 1939, providing for absentee electors to vote in general elections so as to provide for the return of the ballots to the chairman of the county board of elections issuing the same, with a favorable report.

H. B. 845, a bill to empower the county commissioners of Perquimans County to allow the sheriff or tax collector the full 5% on all taxes collected for the county for the tax years 1942-43 and subsequent years, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senators Carlyle, Sanders, Price, Taylor and Matheny: S. B. 361, a bill to exclude from juvenile courts and domestic relations courts jurisdiction over violations of the motor vehicle laws by persons over fifteen years of age.

Upon motion of Senator Carlyle, the rules are suspended and the bill is taken up for immediate consideration.

Passes its second and third readings and is ordered sent to the House of Representatives by special messenger.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 840, a bill to give to the recorder's court of Bertie County jurisdiction in divorce actions.

Referred to Committee on Calendar.

H. B. 842, a bill to authorize the State School Commission to pay James Ormesby compensation for damages resulting from a collision between an automobile owned by James Ormesby and a school bus.

Referred to Committee on Calendar.

H. B. 850, a bill relating to the sale of the "Home for the Aged," commonly known as the "County Home," in Transylvania County.

Referred to Committee on Calendar.

H. B. 851, a bill to authorize and enable the board of aldermen of the town of Brevard to make an adjustment or settlement, upon an



equitable basis, in their discretion, of an account which is more than two years old.

Referred to Committee on Calendar.

H. B. 852, a bill to authorize the Yadkin County Board of Commissioners to pay an annual salary to the chief deputy sheriff and jailer.

Referred to Committee on Calendar.

H. R. 853, a joint resolution expressing the appreciation of the General Assembly to the Honorable Thad Eure, Secretary of State.

Referred to Committee on Calendar.

H. B. 854, a bill to provide for the election of a mayor and board of aldermen in the town of Waynesville in Haywood County.

Referred to Committee on Calendar.

H. R. 855, a joint resolution expressing appreciation of the members of the General Assembly for the splendid services rendered by Mrs. Edna Jones Harrell, and for the courtesies and efficient services rendered by the Press and by Mr. Carl Goerch during the 1943 Session of the General Assembly.

Referred to Committee on Calendar.

H. B. 856, a bill to amend Section 5004 of the Consolidated Statutes, relating to the State Board of Charities and Public Welfare.

Referred to Committee on Calendar.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 798, a bill to amend Chapter 179 of the Private Laws of 1927 to authorize the leasing of Lake Lure, upon third reading.

The bill passes its third reading by roll call vote, ayes 32, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Benton, Blythe, Brown, Carlyle, Chaffin, Cherry, Cole, Evans, Funderburk, Graham, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Matheny, Mitchell, McKee, O'Berry, Palmer, Poindexter, Price, Sanders, Smith, Taylor, Wade, Wallace, Weathers, Wilson—32.

The bill is ordered enrolled.

H. B. 799, a bill to amend Chapter 205 of the Private Laws of 1935, relating to bonds of the town of Lake Lure, upon third reading.

The bill passes its third reading by roll call vote, ayes 32, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Benton, Blythe, Brown, Carlyle, Chaffin, Cherry, Cole, Evans, Funderburk, Graham, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Matheny, Mitchell, McKee, O'Berry, Palmer, Poindexter, Price, Sanders, Smith, Taylor, Wade, Wallace, Weathers, Wilson—32.

The bill is ordered enrolled.

H. B. 826, a bill amending Chapter 2 of the Public Laws, Extra Session of 1938, the same being the Revenue Bond Act of 1938, so as to extend the time for issuance of revenue bonds by municipalities of Brunswick and Onslow Counties, upon third reading.

The bill, as amended, passes its third reading by roll call vote, ayes 32, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Benton, Blythe, Brown, Carlyle, Chaffin, Cherry, Cole, Evans, Funderburk, Graham, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Matheny, Mitchell, McKee, O'Berry, Palmer, Poindexter, Price, Sanders, Smith, Taylor, Wade, Wallace, Weathers, Wilson—32.

The bill is ordered returned to the House of Representatives for concurrence in the Senate amendment.

S. B. 254, a bill to declare the necessity of creating public bodies corporate and politic to be known as hospital authorities to engage in hospital construction, maintenance and operation and/or projects to provide hospital accommodations; to provide for the creation of such hospital authorities; to define the powers and duties of hospital authorities and to provide for the exercise of such powers, including acquiring property by purchase, gift or eminent domain, and including borrowing money, issuing revenue and credit bonds and other obligations, and giving security therefor; to confer remedies on obligees of hospital authorities; to provide that hospital authorities, and certain property and securities thereof shall be tax exempt, upon second reading.

The bill passes its second reading by roll call vote, ayes 31, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Barber, Barker, Benton, Blythe, Brown, Carlyle, Chaffin, Cherry, Cole, Evans, Funderburk, Graham, Hodges, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Matheny, Mitchell, McKee, O'Berry, Palmer, Price, Sanders, Smith, Taylor, Wade, Wallace, Whitaker, Wilson—31.

S. B. 225, a bill to amend Article XIII of Chapter 96 and Chapter 121 of the Consolidated Statutes, as amended, and Chapter 219 of the Public Laws of 1927, as amended, relating to the management of the Stonewall Jackson Manual Training and Industrial School, the Eastern Carolina Industrial School for Boys, the Industrial Farm Colony for Women, the State Home and Industrial School for Girls and the Morrison Training School, so as to provide for the appointment of a unified board of directors for such institutions and to provide for the appointment of a general superintendent and a general business manager thereof, for concurrence in House amendment.

Upon motion of Senator Johnson of Duplin, the Senate concurs in the House amendments and the bill is ordered enrolled.

H. B. 553, a bill to amend Chapter 261 of the Public Laws of 1927, as amended, the same being an Act to provide uniform weights and measures, and to amend Section 5085 of the Consolidated Statutes of North Carolina, relating to cotton weighing.

Upon motion of Senator O'Berry, the bill is re-referred to the Committee on Calendar.

Upon motion of Senator Carlyle, the Senate recesses to meet this morning at 11:55 o'clock.



## RECESSED MORNING MEETING

SENATE CHAMBER,  
Tuesday, March 9, 1943.

The Senate meets pursuant to recess, and is called to order by Lieutenant Governor R. L. Harris.

Upon motion of Senator Johnson of Halifax, the courtesies of the galleries are extended to Frank Pittman of Halifax County.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Carlyle, for the Committee on Calendar:

H. R. 725, a joint resolution to authorize the Governor to appoint a commission to make a study of the printing and distribution of periodicals and periodical reports by all institutions, departments, commissions, bureaus or other branches of the State government, with a favorable report, as amended.

The bill is placed upon today's Calendar.

H. B. 757, a bill to amend Chapter 245, Public Laws of 1935, relating to compensation for school children killed and/or injured as a result of the operation of a school bus, with an unfavorable report.

H. B. 758, a bill to amend Chapter 265, Public Laws of 1925, relating to safety in the transportation of school children of North Carolina, with a favorable report, as amended.

The bill is placed upon today's Calendar.

H. B. 833, a bill to allow the hunting, chasing, trapping and killing of foxes, bears, and rabbits at any time within Gates County, with an unfavorable report.

H. B. 840, a bill to give to the recorder's court of Bertie County jurisdiction in divorce actions, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 850, a bill relating to the sale of the "Home for the Aged," commonly known as the "County Home," in Transylvania County, with an unfavorable report.

H. B. 842, a bill to authorize the State School Commission to pay James Ormesby compensation for damages resulting from a collision between an automobile owned by James Ormesby and a school bus, with a favorable report, as amended.

The bill is placed upon today's Calendar.

H. B. 851, a bill to authorize and enable the board of aldermen of the town of Brevard to make an adjustment or settlement, upon an equitable basis, in their discretion, of an account which is more than two years old, with a favorable report.

The bill is placed upon today's Calendar.

H. R. 853, a joint resolution expressing the appreciation of the General Assembly to the Honorable Thad Eure, Secretary of State, with a favorable report.

The resolution is placed upon today's Calendar.

H. B. 854, a bill to provide for the election of a mayor and board of aldermen in the town of Waynesville in Haywood County, with a favorable report.

The bill is placed upon today's Calendar.

H. R. 855, a joint resolution expressing appreciation of the Members of the General Assembly for the splendid services rendered by Mrs. Edna Jones Harrell, and for the courteous and efficient services rendered by the Press and by Mr. Carl Goerch during the 1943 Session of the General Assembly, with a favorable report.

The resolution is placed upon today's Calendar.

H. B. 856, a bill to amend Section 5004 of the Consolidated Statutes, relating to the State Board of Charities and Public Welfare, with a favorable report.

The bill is placed upon today's Calendar.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Ballentine: S. B. 362, a bill to amend H. B. 679, regulating salaries of certain officers of Wake County, the same having been ratified March 5, 1943.

Upon motion of Senator Ballentine, the rules are suspended and the bill is taken up for immediate consideration.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Johnson of Duplin and others: S. R. 363, a joint resolution commending Attorney General Harry McMullan and his entire staff for assistance rendered the membership of the 1943 General Assembly.

Upon motion of Senator Johnson of Duplin, the rules are suspended and the resolution is taken up for immediate consideration.

Passes its second and third readings and is ordered sent to the House of Representatives.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 784, a bill to amend Chapter 499 of the Public Local Laws of 1925 to give the recorder's court of Nash County jurisdiction in divorce actions.

Upon motion of Senator Carlyle, the rules are suspended and the bill is taken up for immediate consideration.

Passes its second and third readings and is ordered enrolled.

S. B. 240, a bill to require each State agency of the State of North Carolina which has been created by Statute and exercises regulatory, administrative or semi-judicial functions, to file with the Secretary of State, copies of administrative rules and regulations or rules of practice and procedure and amendments thereto, for concurrence in the House amendment.



Upon motion of Senator Carlyle, the Senate concurs in the House amendment and the bill is ordered enrolled.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 739, a bill for the relief of Lula Deese, Roberta Deese, Jeanette Deese and Keith Deese, and to reimburse Robert H. Deese for damages to automobile and medical expenses incurred through collision of Robert H. Deese automobile with State Highway Patrol Car operated by Patrolman R. Hal Maney in Union County, North Carolina, on Highway No. 74 on October 5, 1941.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives, for concurrence in the Senate amendment.

H. B. 778, a bill to amend Chapter 159 of the Public Laws of 1939, providing for absentee electors to vote in general elections so as to provide for the return of the ballots to the chairman of the county board of elections issuing the same.

Passes its second and third readings and is ordered enrolled.

H. B. 845, a bill to empower the county commissioners of Perquimans County to allow the sheriff or tax collector the full 5% on all taxes collected for the county for the tax years 1942-43 and subsequent years.

Passes its second and third readings and is ordered enrolled.

H. B. 840, a bill to give the recorder's court of Bertie County jurisdiction in divorce actions.

Passes its second and third readings and is ordered enrolled.

H. B. 851, a bill to authorize and enable the board of aldermen of the town of Brevard to make an adjustment or settlement, upon equitable basis, in their discretion, of an account which is more than two years old.

Passes its second and third readings and is ordered enrolled.

H. B. 854, a bill to provide for the election of a mayor and board of aldermen in the town of Waynesville in Haywood County.

Passes its second and third readings and is ordered enrolled.

H. R. 725, a joint resolution to authorize the Governor to appoint a commission to make a study of the printing and distribution of periodicals and periodical reports by all institutions, departments, commissions, bureaus or other branches of the State government.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives, for concurrence in the Senate amendment.

H. B. 758, a bill to amend Chapter 265, Public Laws of 1925, relating to the safety in the transportation of school children in North Carolina.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives, for concurrence in the Senate amendment.

H. B. 842, a bill to authorize the State School Commission to pay James Ormesby compensation for damages resulting from a collision between an automobile owned by James Ormesby and a school bus.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives, for concurrence in the Senate amendment.

H. R. 853, a joint resolution expressing the appreciation of the General Assembly to the Honorable Thad Eure, Secretary of State.

Passes its second and third readings and is ordered enrolled.

H. R. 855, a joint resolution expressing appreciation of the Members of the General Assembly for the splendid services rendered by Mrs. Edna Jones Harrell, and for the courteous and efficient services rendered by the Press and by Mr. Carl Goerch during the 1943 Session of the General Assembly.

Passes its second and third readings and is ordered enrolled.

H. B. 856, a bill to amend Section 5004 of the Consolidated Statutes, relating to the State Board of Charities and Public Welfare.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Carlyle, the Senate recesses to meet this afternoon at 4 o'clock.

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#### AFTERNOON SESSION

SENATE CHAMBER,  
Tuesday, March 9, 1943.

The Senate meets pursuant to recess, and is called to order by Lieutenant Governor R. L. Harris.

Upon motion of Senator Evans, H. B. 824, a bill to authorize and empower the county commissioners of Currituck County to appoint an assistant judge of the recorder's court of said county, is taken from the Table and placed upon today's Calendar.

Senator Brock submits the following statement of respect for the Lieutenant Governor and members of the 1943 Senate, clerks and pages, which, upon motion of Senator Taylor, is ordered spread upon the Journal:

"We, the members of the minority party of this body, take this opportunity to greet you and extend to you our sincere thanks and appreciation for the splendid spirit of co-operation, the many courtesies and the genuine friendship you have so kindly shown us.

"We regard you as friends and good fellows and shall hold a warm spot in our hearts for you as long as life lasts."

#### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:



S. R. 359, joint resolution commending the Postmaster, D. Staton Inscoc, and H. B. Campen and J. C. Gay, clerks in charge of the sub-station for the services rendered to this General Assembly.

S. B. 84, an act to amend Chapter 25 of the Public Laws of 1941, creating a Teachers' and State Employees' Retirement System in North Carolina, to permit the board of trustees to make regulations preventing injustices and inequalities not otherwise covered by the Act and to permit the re-employment of teachers and State employees who have been retired on account of age when needed during any emergency.

S. B. 239, an act to amend the School Machinery Act, the same being Chapter 358, Public Laws of 1939, as amended.

S. B. 281, an act to abolish the State School Commission, the State Textbook Commission, the State Board for Vocational Education, and the State Board of Commercial Education, and to transfer their powers, functions and duties to the State Board of Education created by the Constitutional amendments adopted in 1942 and to provide for the powers, functions and duties of said newly created State Board of Education in keeping with the provisions of the Constitutional amendments.

S. B. 292, an act to provide for an election on the question of the extension of the corporate limits of the city of Statesville.

S. B. 314, an act protecting wild turkeys in Wake County.

H. B. 270, an act to amend Chapter 263 of the Public Laws of 1941, relating to livestock markets.

H. B. 562, an act for the relief of Rommie R. Glover.

H. B. 619, an act to amend Chapter 407 of the Public Laws of 1937, as amended, relating to motor vehicles.

H. B. 621, an act authorizing the State School Commission to compensate J. H. Williams, father and guardian of Howard Williams and Elsie Williams, both minors, Mrs. Annie Kelbaugh, mother and guardian of Annie May Kelbaugh, a minor, Mrs. Effie Marcom, mother and guardian of Leonard Marcom, a minor, E. A. King, father and guardian of Weldon King, a minor, for personal injuries sustained by reason of a school bus wreck on March 21, 1941.

H. B. 633, an act to amend Section 2308 of the Consolidated Statutes, relating to interest on obligations due guardians, so as to make the rate of interest at least four per cent (4%) and not more than the legal maximum.

H. B. 668, an act to amend H. B. 279, relative to the temporary reinvestment of the proceeds of the sale of contingent remainders.

H. B. 694, an act to provide clerical assistance in the office of the sheriff, tax collector and treasurer of Alleghany County.

H. B. 707, an act to compensate the parents of Patsy Long Newman, a minor, for her death from injuries sustained through a negligent school bus wreck near Cary, Wake County, North Carolina.

H. B. 710, an act providing for election of benefits for members of burial associations serving in the military and naval forces of the United States.

H. B. 715, an act to amend Chapter 47, Section 15, Public Laws of 1927, the same being Section 223 (f), Volume 3, Consolidated Statutes

so as to authorize the State Banking Commission to reduce the fees for examinations of banks.

H. B. 729, an act to amend Section 7198, Volume 2 of the Consolidated Statutes of 1919, relating to the control and treatment of venereal diseases.

H. B. 731, an act to amend Section 191 (1) of the Consolidated Statutes of North Carolina, relating to the correction of adoption proceedings.

H. B. 778, an act to amend Chapter 159 of the Public Laws of 1939, providing for absentee electors to vote in general elections so as to provide for the return of the ballots to the chairman of the county board of elections issuing the same.

H. B. 793, an act to legalize and validate certain outstanding bonds of Hendersonville Graded School District and to provide for the re-funding of said bonds.

H. B. 798, an act to amend Chapter 179 of the Private Laws of 1927, to authorize the leasing of Lake Lure.

H. B. 799, an act to amend Chapter 205 of the Private Laws of 1935, relating to bonds of the town of Lake Lure.

H. B. 815, an act to amend Section 5412 of the Consolidated Statutes of 1919 insofar as the same relates to Jackson County.

H. B. 832, an act to authorize the board of commissioners of Surry County to increase the salary of the register of deeds.

H. B. 836, an act to amend Section 1564 of the Consolidated Statutes of North Carolina, relating to the salary of the recorder of the recorder's court of Perquimans County.

H. B. 838, an act to reduce certain fees in the recorder's court of Anson County.

H. B. 843, an act to prohibit the operation of pool tables in public places in Yadkin County during certain hours.

H. B. 845, an act to empower the county commissioners of Perquimans County, to allow the sheriff or tax collector the full 5% on all taxes collected for the county for the tax years 1942 and 1943 and subsequent years.

H. B. 846, an act to repeal Chapter 98 of the Public Laws of 1931, relating to the commission for the improvement of the laws.

H. B. 847, an act to authorize the Commissioner of Revenue with the approval of the Governor and Council of State to enter into and act pursuant to agreements with the United States or with any other State or political subdivision thereof for the purpose of co-ordinating the administration of taxes imposed by this State, the United States, or any other State or political subdivision thereof.

H. B. 851, an act to authorize and enable the board of aldermen of the town of Brevard to make an adjustment or settlement, upon an equitable basis, in their discretion, of an account which is more than two years old.

H. B. 854, an act to provide for the election of a mayor and board of aldermen in the town of Waynesville in Haywood County and to fix their terms of office.



## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Carlyle, for the Committee on Calendar:

H. B. 553, a bill to amend Chapter 261 of the Public Laws of 1927, as amended, the same being an Act to provide uniform weights and measures, and to amend Section 5085 of the Consolidated Statutes of North Carolina, relating to cotton weighing, with a favorable report, as amended.

The bill is placed upon today's Calendar.

H. B. 579, a bill to amend Section 5761, Volume 3 of the Consolidated Statutes, as amended, relating to compulsory attendance in the public schools of the State, with an unfavorable report.

H. B. 581, a bill to amend Section 76, Volume 1 of the Consolidated Statutes of 1919, as amended, relating to conveyances of real property of a decedent by the devisees or heirs at law of such decedent, with a favorable report, as amended.

The bill is placed upon today's Calendar.

H. B. 584, a bill to amend Chapter 180 of the Public Local Laws of 1939, which is an Act to fix the salaries of officers of Yadkin County, to provide for clerical assistance for the clerk of the Superior Court and the register of deeds, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 852, a bill to authorize the Yadkin County Board of Commissioners to pay an annual salary to the chief deputy sheriff and jailer, with a favorable report.

The bill is placed upon today's Calendar.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

S. B. 31, a bill to amend Section 3316 of the Consolidated Statutes of 1919, relating to the registration of deeds or agreements for rights of ways and easements, for concurrence in the House substitute.

Upon motion of Senator Johnson of Halifax, the rules are suspended and the bill is taken up for immediate consideration.

Passes its second and third readings and is ordered enrolled.

S. B. 280, a bill to repeal the special election of the Washington School Administrative Unit providing for a nine months school term, for concurrence in the House amendment.

Upon motion of Senator Daniel, the Senate concurs in the House amendment and the bill is ordered enrolled.

H. B. 844, a bill to provide a pension of \$30.00 per month for all teachers who have attained the age of 65 years, who are not eligible for membership in the Teachers' and State Employees' Retirement System, who have taught in the public school system of the State for at least 20 years, and who are not engaged in some gainful occupation.

Referred to Committee on Calendar.

S. B. 41, a bill to amend Chapter 159 of the Public Laws of 1939, relating to absentee voting in general elections in North Carolina, for concurrence in the House amendment.

Upon motion of Senator Whitaker, the Senate concurs in the House amendment and the bill is ordered enrolled.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 584, a bill to amend Chapter 180 of the Public Local Laws of 1939, which is an Act to fix the salaries of officers of Yakin County, to provide for clerical assistance for the clerk of the Superior Court and the register of deeds.

Passes its second and third readings and is ordered enrolled.

H. B. 852, a bill to authorize the Yadkin County Board of Commissioners to pay an annual salary to the chief deputy sheriff and jailer.

Passes its second and third readings and is ordered enrolled.

H. B. 581, a bill to amend Section 76, Volume 1 of the Consolidated Statutes of 1919, as amended, relating to conveyances of real property of a decedent by the devisees or heirs at law of such decedent.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives, for concurrence in the Senate amendment.

H. B. 824, a bill to authorize and empower the county commissioners of Currituck County to appoint an assistant judge of the recorder's court of said county.

Passes its second and third readings and is ordered enrolled.

H. B. 553, a bill to amend Chapter 261 of the Public Laws of 1927, as amended, the same being an Act to provide uniform weights and measures, and to amend Section 5085 of the Consolidated Statutes of North Carolina, relating to cotton weighing.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives, for concurrence in the Senate amendment.

Upon motion of Senator Lanier, the Senate adjourns to meet tomorrow morning at 10 o'clock.

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#### FIFTY-FIFTH DAY

SENATE CHAMBER,  
Wednesday, March 10, 1943.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor R. L. Harris.

Prayer is offered by Rev. C. P. Jerome of the Methodist Church, Raleigh, N. C.

Senator Daniel for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and



upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Evans, the courtesies of the lobby are extended to J. W. Miggs and J. W. Jeanette of Elizabeth City, N. C.

Upon motion of Senator Carlyle, the courtesies of the lobby are extended to Mrs. D. H. Wilcox and Miss Lillie Leake of Forsyth County.

Upon motion of Senator Hudgins, the courtesies of the lobby are extended to Gordon Sisk of Guilford County.

Upon motion of Senator Whitaker, the courtesies of the lobby are extended to Ralph Sutton, Business Manager of the Western North Carolina Teachers College.

The President appoints the Honorable George Ross Pou as an honorary page of the Senate.

Upon motion of Senator Cherry, the courtesies of the lobby are extended to Mrs. Harry Buchanan of Henderson County, and Miss Pearl Buchanan, her young daughter, is made an honorary page of the Senate.

Upon motion of Senator Johnson of Halifax, the courtesies of the lobby are extended to Mrs. Hugh Horton, wife of Senator Horton of Martin County, and Mrs. Eugene Bost, wife of Representative Bost of Cabarrus County.

Upon motion of Senator Johnson of Duplin, the courtesies of the lobby are extended to Mrs. Max C. Wilson, wife of Senator Wilson of Caldwell County.

Upon motion of Senator Benton, Miss Alice Matheny, young daughter of Senator Matheny of Rutherford County, is made an honorary page of the Senate.

Upon motion of Senator Johnson of Duplin, Miss Saville Wilson, young daughter of Senator Wilson of Caldwell County, is made an honorary page of the Senate.

Upon motion of Senator McKee, the courtesies of the lobby are extended to Mrs. J. Melville Broughton, wife of Governor Broughton, and Mrs. Joe Blythe, wife of Senator Blythe of Mecklenburg County.

Upon motion of Senator Taylor, the courtesies of the floor are extended to former Senator William B. Rodman, Jr., of Beaufort County.

The President extends the courtesies of the lobby to James A. Long, Jr., and Robert Edgar Long of Roxboro, N. C.

#### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. R. 363, a joint resolution commending Attorney General Harry McMullan and his entire staff for assistance rendered the membership of the 1943 General Assembly.

H. R. 725, a joint resolution to authorize the Governor to appoint a commission to make a study of the printing and distribution of periodicals and periodical reports by all institutions, departments, commissions, bureaus or other branches of the State government.

H. R. 853, a joint resolution expressing the appreciation of the General Assembly to the Honorable Thad Eure, Secretary of State.

H. R. 855, a joint resolution expressing appreciation of the members of the General Assembly for the splendid services rendered by Mrs. Edna Jones Harrell, and for the courteous and efficient services rendered by the Press and by Mr. Carl Goerch during the 1943 Session of the General Assembly.

S. B. 31, an act to amend Section 3316 of the Consolidated Statutes of 1919, relating to the registration of deeds or agreements for rights of ways and easements.

S. B. 41, an act to amend Chapter 159 of the Public Laws of 1939, relating to absentee voting in general elections in North Carolina.

S. B. 192, an act making an appropriation to the North Carolina State Art Society, Incorporated.

S. B. 217, an act to amend Chapter 288, Public Laws of 1937, as amended, and to repeal Chapter 120, Public Laws of 1931 and Section 5, Chapter 226, Public Laws of 1931, to provide uniform residence requirements for applicants for assistance.

S. B. 240, an act to require each State agency of the State of North Carolina which has been created by Statute and exercises regulatory, administrative or semi-judicial functions, to file with the Secretary of State, copies of administrative rules and regulations or rules of practice and procedure and amendments thereto.

S. B. 248, an act to place the North Carolina Symphony Society, Incorporated, under the patronage and control of the State, and to authorize the Governor and Council of State to make an allotment from the contingency and emergency fund in aid thereof.

S. B. 340, an act to provide a war bonus for the pages and other Senate and House of Representatives employees for the Session of 1943.

S. B. 348, an act to amend Chapter 107, Section 7 of the Public Laws of 1941 to regulate subsistence allowance for necessary travel expenses in connection with the work of departments, institutions or agencies of the State.

S. B. 357, an act to extend the term of office of the police judge and city solicitor in the town of Canton, Haywood County, North Carolina, for a period of two years.

S. B. 360, an act to compensate the board of commissioners of Rowan County.

S. B. 361, an act to exclude from juvenile courts and domestic relations courts jurisdiction over violations of the motor vehicle laws by persons over 15 years of age.

S. B. 362, an act to amend H. B. 679, regulating salaries of certain officers of Wake County, the same having been ratified March 5, 1943.

H. B. 553, an act to amend Chapter 261 of the Public Laws of 1927, as amended, the same being an act to provide uniform weights and measures, and to amend Section 5085 of the Consolidated Statutes of North Carolina relating to cotton weighing.

H. B. 581, an act to amend Section 76, Volume 1, of the Consolidated Statutes of 1919, as amended, relating to conveyances of real property of a decedent by the devisees or heirs at law of such decedent.



H. B. 584, an act to amend Chapter 180 of the Public Local Laws of 1939, which is an act to fix the salaries of officers of Yadkin County, to provide for clerical assistance for the clerk of the Superior Court and the register of deeds.

H. B. 732, an act relating to the prevention of cruelty to animals in Wake County.

H. B. 739, an act for the relief of Lula Deese, Roberta Deese, Jeanette Deese and Keith Deese, and to reimburse Robert H. Deese for damages to automobile and medical expenses incurred through collision of Robert H. Deese automobile with State highway patrol car operated by Patrolman R. Hal Maney in Union County, North Carolina, on highway number 74 on October 5, 1941.

H. B. 758, an act to amend Chapter 265, Public Laws of 1925, relating to safety in the transportation of school children of North Carolina.

H. B. 784, an act to amend Chapter 499 of the Public Local Laws of 1925, to give the recorder's court of Nash County jurisdiction in divorce actions.

H. B. 822, an act to amend Chapter 358, Public Laws of 1939, relating to the dirbursement of State school funds.

H. B. 824, an act to authorize and empower the county commissioners of Currituck County to appoint an assistant judge of the recorder's court of said county.

H. B. 826, an act amending Chapter 2 of the Public Laws, Extra Session of 1938, the same being the Revenue Bond Act of 1938, so as to extend the time for issuance of revenue bonds by municipalities of Brunswick and Onslow Counties.

H. B. 840, an act to give to the recorder's court of Bertie County, jurisdiction in divorce actions.

H. B. 842, an act to authorize the State School Commission to pay James Ormesby compensation for damages resulting from a collision between an automobile owned by James Ormesby and a school bus.

H. B. 852, an act to authorize the Yadkin County Board of Commissioners to pay an annual salary to the chief deputy sheriff and jailer.

H. B. 856, an act to amend Section 5004 of the Consolidated Statutes, relating to the State Board of Charities and Public Welfare.

S. B. 225, an act to amend Article XIII of Chapter 96 and Chapter 121 of the Consolidated Statutes, as amended, and Chapter 219 of the Public Laws of 1927, as amended, relating to the management of the Stonewall Jackson Manual Training and Industrial School, the Eastern Carolina Industrial School for Boys, the Industrial Farm Colony for Women, the State Home and Industrial School for Girls, and the Morrison Training School, so as to provide for the appointment of a unified board of directors for such institutions and to provide for the appointment of a general superintendent and a general business manager thereof.

S. B. 280, an act to repeal the special election of the Washington School administrative unit providing for a nine-months school term.

S. B. 305, an act to authorize the Governor, with the approval of the Council of State, to allocate funds for the purpose of completing the

establishment of the vocational textile school at Belmont in order that same may be placed in operation as soon as possible.

H. B. 794, an act to appoint justices of the peace for the several counties of North Carolina.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 487, a bill to amend Chapter 52 of the Public Laws of 1935, as amended, the same being the Uniform Drivers' License Act.

Referred to Committee on Calendar.

H. B. 675, a bill to create a civil service commission for the fire and police departments of the city of Wilmington, North Carolina, and to provide the necessary machinery and rules for the organization and operation of said civil service commission.

Referred to Committee on Calendar.

H. R. 791, a joint resolution to encourage students of the State-supported colleges and other higher institutions of learning to secure full benefit of the opportunities afforded them for educational advantages.

Referred to Committee on Calendar.

H. B. 837, a bill to authorize the State Board of Education to investigate the circumstances surrounding the death of Troy Shepherd, an auto mechanic employed to service the school equipment in Jackson County, and to pay compensation for such death.

Referred to Committee on Calendar.

S. B. 353, a bill to amend Chapter 97 of the Public Laws of 1941 by striking out Section 6 of said Chapter and inserting in lieu thereof a new Section 6, thereby making it legal for a majority of the members of the Utilities Commission to hear and pass upon matters coming before the Commission, for concurrence in the House amendment.

Upon motion of Senator Carlyle, the Senate concurs in the House amendment and the bill is ordered enrolled.

Upon motion of Senator Carlyle, the vote by which the Senate concurred in the House amendment is reconsidered.

H. B. 858, a bill to validate the re-indexing of records of real estate conveyances and judgments in Northampton County.

Upon motion of Senator Johnson of Halifax, the bill is placed upon the Calendar.

HOUSE OF REPRESENTATIVES,  
Wednesday, March 10, 1943.

*Mr. President:*

It is ordered that a message be sent to your Honorable Body requesting the return of S. B. 353, entitled "A bill to amend Chapter 97 of the Public Laws of 1941 by striking out Section 6 of said Chapter and inserting in lieu thereof a new Section 6; thereby making it legal for a



majority of the members of the Utilities Commission to hear and pass upon matters coming before the Commission," for further consideration by the House of Representatives.

Respectfully,

SHEARON HARRIS, *Principal Clerk.*

Upon motion of Senator Carlyle, the bill is ordered returned to the House of Representatives.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Carlyle, for the Committee on Calendar:

H. B. 487, a bill to amend Chapter 52 of the Public Laws of 1935, as amended, the same being the Uniform Drivers' License Act, with a favorable report.

The bill is placed upon today's Calendar.

H. B. 675, a bill to create a civil service commission for the fire and police departments of the city of Wilmington, North Carolina, and to provide the necessary machinery and rules for the organization and operation of said civil service commission, with an unfavorable report.

H. R. 791, a joint resolution to encourage students of the State-supported colleges and other higher institutions of learning to secure full benefit of the opportunities afforded them for educational advantages, with an unfavorable report.

H. B. 837, a bill to authorize the State Board of Education to investigate the circumstances surrounding the death of Troy Shepherd, an auto mechanic employed to service the school equipment in Jackson County, and to pay compensation for such death, with an unfavorable report.

Senator McKee moves that the bill be taken from the unfavorable Calendar and placed upon the Calendar.

The motion fails to prevail.

H. B. 844, a bill to provide a pension of thirty dollars per month for all teachers who have attained the age of sixty-five years, who are not eligible for membership in the Teachers and State Employees Retirement System, who have taught in the public school system of the State for at least twenty years, and who are not engaged in some gainful occupation, with a favorable report.

The bill is placed upon today's Calendar.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Cherry: S. B. 364, a bill to change the gross weight on two-axle trucks, provided in H. B. 619, ratified March 9, 1943, from 30,000 pounds to 26,000 pounds.

Upon motion of Senator Cherry, the rules are suspended and the bill is taken up for immediate consideration.

Passes its second and third readings and is ordered sent to the House of Representatives by special messenger.

By Senator Taylor and others: S. R. 365, a resolution expressing the appreciation of the Senate to its presiding officer, Lieutenant Governor Reginald Lee Harris.

Upon motion of Senator Taylor, the rules are suspended and the bill is taken up for immediate consideration.

Upon motion of Senator Taylor, the resolution is unanimously adopted by a rising vote of the Senate.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 858, a bill to validate the re-indexing of records of real estate conveyances and judgments in Northampton County.

Passes its second and third readings and is ordered enrolled.

S. B. 254, a bill to declare the necessity of creating public bodies corporate and politic to be known as hospital authorities to engage in hospital construction, maintenance and operation and/or projects to provide hospital accommodations; to provide for the creation of such hospital authorities; to define the powers and duties of hospital authorities and to provide for the exercise of such powers, including acquiring property by purchase, gift or eminent domain, and including borrowing money, issuing revenue and credit bonds and other obligations, and giving security therefor; to confer remedies on obligees of hospital authorities; to provide that hospital authorities, and certain property and securities thereof shall be tax exempt, upon third reading.

The bill passes its third reading by roll call vote, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brock, Brooks, Carlyle, Chaffin, Cherry, Clark, Cole, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Matheny, McKee, O'Berry, Palmer, Pittman, Price, Ruark, Sanders, Smith, Taylor, Wade, Watkins, Whitaker, Wilson—36.

The bill is ordered enrolled.

H. B. 487, a bill to amend Chapter 52 of the Public Laws of 1935, as amended, the same being the Uniform Driver's License Act.

The amendment offered by Senator Carlyle is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives, for concurrence in the Senate amendment, by special messenger.

H. B. 844, a bill to provide a pension of thirty dollars per month to all teachers who have attained the age of sixty-five years, who are not eligible for membership in the Teachers and State Employees Retirement System, who have taught in the public school system of the State for at least twenty years, and who are not engaged in some gainful occupation.

Upon the passage of the bill on its second reading Senator Weathers calls for the "ayes" and "noes."



The call is sustained and the bill passes its second reading by roll call vote, ayes 35, noes 1, as follows:

Those voting in the affirmative are: Senators Bailey, Ballentine, Barker, Benton, Blythe, Brock, Brooks, Carlyle, Chaffin, Cherry, Clark, Daniel, Eagles, Evans, Farthing, Graham, Gregory, Horton, Hudgins, Johnson of Duplin, Johnson of Halifax, Matheny, Mitchell, McKee, O'Berry, Palmer, Pittman, Price, Sanders, Smith, Wade, Wallace, Watkins, Whitaker, Wilson—35.

Those voting in the negative are: Senator Weathers—1.

The bill passes its third reading and is ordered enrolled.

#### ENROLLED BILLS

Senator Wallace, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. R. 351, a joint resolution by the General Assembly of North Carolina, providing for adjournment on Wednesday, March 10, 1943.

S. B. 254, an act to declare the necessity of creating public bodies corporate and politic to be known as hospital authorities to engage in hospital construction, maintenance and operation and/or projects to provide hospital accommodations; to provide for the creation of such hospital authorities; to define the powers and duties of hospital authorities and to provide for the exercise of such powers, including acquiring property by purchase, gift or eminent domain, and including borrowing money, issuing revenue and credit bonds and other obligations, and giving security therefor; to confer remedies on obligees of hospital authorities; to provide that hospital authorities, and certain property and securities thereof shall be tax exempt.

S. B. 262, an act relating to withdrawal of deposits from the State Employees' Credit Union.

S. B. 352, an act to amend Chapter 97 of the Public Laws of 1941 by striking out Section 6 of said Chapter and inserting in lieu thereof a new Section 6, thereby making it legal for a majority of the members of the Utilities Commission to hear and pass upon matters coming before the Commission.

S. B. 356, an act to amend Chapter 25 of the Public Laws of 1941, known and designated as the Teachers' and State Employees' Retirement Act.

S. B. 364, an act to change the gross weight on two-axle trucks, provided in H. B. 619, ratified March 9, 1943, from 30,000 pounds to 26,000 pounds.

H. B. 844, an act to provide a pension of \$30.00 per month for all teachers who have attained the age of 65 years, who are not eligible for membership in the Teachers' and State Employees' Retirement System, who have taught in the public school system of the State for at least 20 years, and who are not engaged in some gainful occupation.

H. B. 858, an act to validate the re-indexing of records of real estate conveyances and judgments in Northampton County.

H. B. 487, an act to amend Chapter 52 of the Public Laws of 1935, as amended, the same being the Uniform Drivers' License Act.

## SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

HOUSE OF REPRESENTATIVES,  
Wednesday, March 10, 1943.

*Mr. President:*

You are respectfully advised that the business of the House of Representatives has been concluded and that Body will be ready to open the doors of the House immediately upon receipt of information from your Honorable Body that you are ready to open your doors, that the gavels may fall simultaneously and adjournment may be declared sine die.

Respectfully,

SHEARON HARRIS, *Principal Clerk.*

Pursuant to the information submitted above, the Senate having completed the business before it, a message is ordered sent to the House of Representatives informing that Honorable Body that the Senate stands ready for final adjournment.

The doors of the House of Representatives and Senate are thrown open, the Speaker of the House of Representatives is perceived standing ready to let fall the gavel. The hour for adjournment fixed by joint resolution passed by the two Houses having arrived, the President of the Senate declared the Senate of the General Assembly of the Session of 1943 adjourned, sine die.

R. L. HARRIS,  
*Lieutenant Governor and  
President of the Senate.*

S. RAY BYERLY,  
*Principal Clerk of the Senate.*



## APPENDIX

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### A JOINT RESOLUTION EXPRESSING SYMPATHY UPON THE DEATH OF, AND APPRECIATION OF THE LIFE AND SERVICE OF MRS. BESSIE GARDNER HOEY

Whereas, the State of North Carolina suffered a great loss in the death of Bessie Gardner Hoey, beloved wife of our highly esteemed former Governor, Clyde R. Hoey; and

Whereas, to so many members of the General Assembly she was a warm, personal friend, whose friendship was considered a distinct privilege and benediction to enjoy; and

Whereas, throughout the years of her life she steadfastly sought to be of service to her neighbors, her community, and her State, thereby promoting happiness, comfort and contentment to untold numbers:

*Now, therefore, be it resolved by the House of Representatives, the Senate concurring:*

SECTION 1. That the members of the General Assembly of North Carolina take this method of expressing appreciation of the life and character of Mrs. Bessie Gardner Hoey and the high qualities of citizenship exemplified by her noble and unselfish services, and their sympathy for Governor Hoey and other members of the family in the great loss and sorrow that all alike have sustained.

SEC. 2. That a copy of this Resolution be sent to the members of Mrs. Hoey's family, and that a copy be spread upon the Journals of both branches of the General Assembly.

### A RESOLUTION EXPRESSING SYMPATHY TO HONORABLE WILKINS P. HORTON, FORMER LIEUTENANT GOVERNOR OF NORTH CAROLINA, ON ACCOUNT OF THE ILLNESS OF HIS WIFE, CASSANDRA MENDENHALL HORTON

Whereas, the Senate of the General Assembly of North Carolina has heard with profound regret of the serious illness of the wife of the beloved former Lieutenant Governor of North Carolina, the Honorable Wilkins P. Horton; and

Whereas, the members of the Senate desire to give expression of their heartfelt sympathy and extend love and best wishes to their friend in this hour:

*Now, therefore, be it resolved by the Senate:*

SECTION 1. That the Senate of North Carolina deplores the continued illness of Mrs. Cassandra Mendenhall Horton, wife of the former President of the Senate, and prays for her speedy recovery.

SEC. 2. That this Resolution be spread upon the Journal of the Senate, and a copy thereof sent to the family.

A RESOLUTION AUTHORIZING THE PRESIDENT OF THE SENATE TO APPOINT  
A CALENDAR COMMITTEE TO CONSIDER BILLS REFERRED  
TO SAID COMMITTEE

*Now, therefore, be it resolved by the Senate:*

SECTION 1. That the President of the Senate be, and he is hereby authorized, to appoint a Calendar Committee composed of seven members of the Senate to consider and report on any and all bills which may be referred to said Committee.

SEC. 2. That this Resolution shall be in force and effect from and after its adoption.

A RESOLUTION INVITING GENERAL JULIAN C. SMITH AND COLONEL D. L.  
S. BREWSTER TO ADDRESS THE SENATE

Whereas, the Senate will be honored on February fifth, nineteen hundred and forty-three, by the presence of General Julian C. Smith, Commander of Camp Lejeune, New River, North Carolina, and Colonel W. B. S. Brewster, resident Commander of Camp Lejeune:

*Now, therefore, be it resolved by the Senate:*

SECTION 1. That General Julian C. Smith and Colonel D. L. S. Brewster be granted the courtesies of the floor and invited to address the Senate at its regular session on Friday, February fifth, nineteen hundred and forty-three.

SEC. 2. That the President of the Senate is hereby authorized to appoint a committee consisting of five members of the Senate, to extend the invitation to General Smith and Colonel Brewster, and escort them to the hall of the Senate.

SEC. 3. This Resolution shall be in full force and effect from and after its passage.

A RESOLUTION TO AUTHORIZE THE APPOINTMENT OF THE SPECIAL COM-  
MITTEE WITH REFERENCE TO THE FINANCIAL AFFAIRS OF THE  
ATLANTIC AND NORTH CAROLINA RAILROAD

*Now, therefore, be it resolved by the Senate:*

SECTION 1. That the President of the Senate shall appoint a Special Committee of three members of the Senate to consider the message to th General Assembly from Governor Joseph Melville Broughton, dealing with the financial affairs of the Atlantic and North Carolina Railroad Company. This Committee, when appointed, shall confer with the Governor, and the committee appointed by the House for the same purposes, and as promptly as may be report back to the Senate its findings and recommendations, and propose such legislation as may seem desirable.

SEC. 2. That this Resolution shall be in full force and effect from and after its ratification.



A RESOLUTION TO EXPRESS APPRECIATION OF THE SENATE FOR THE FINE  
AND ABLE SERVICES OF SENATOR H. P. TAYLOR, AS CHAIRMAN  
OF THE APPROPRIATIONS COMMITTEE

Whereas, the Appropriation Bill which has just passed the Senate is the largest in the history of North Carolina, and contains many items about which there has been controversy; and

Whereas, considerable time and many sessions of the Appropriations Committee have been necessary in order to give all interested parties a full and fair hearing; and

Whereas, throughout all the hearings before the Committee there has been such a uniform, courteous, and considerate regard for the views of all members of the Committee and to the appeals made by those who appeared before the Committee, that the Senate has passed the Appropriation Bill without a single amendment being adopted:

*Now, therefore, be it resolved by the Senate:*

SECTION 1. That in appreciation of the fine services rendered by Senator H. P. Taylor, Chairman of the Appropriations Committee, the courtesy extended the members of the Committee, and the able manner in which the bill was handled before the Committee and before this body, that the Senate give Senator Taylor a rising vote of thanks.

SEC. 2. That a copy of this Resolution be spread on the Journal and a copy given Senator Taylor.

SEC. 3. This Resolution shall be in effect from and after its ratification.

A RESOLUTION COMMENDING MRS. EDNA JONES HARRELL FOR HER  
COURTEOUS AND LOYAL SERVICE DURING THE 1943 SESSION  
OF THE GENERAL ASSEMBLY

Whereas, Mrs. Edna Jones Harrell has shown great consideration and courtesy to the members of the Senate; and

Whereas, Mrs. Harrell has very efficiently performed her duties as telephone operator and thereby rendered valuable assistance to the members of the Senate:

*Now, therefore, be it resolved by the Senate:*

SECTION 1. That we do express to the said Mrs. Edna Jones Harrell our deep, sincere and grateful appreciation for her cordial, generous and efficient services rendered to the members of the Senate of one thousand nine hundred and forty-three.

SEC. 2. That this Resolution shall be in full force and effect from and after its ratification.

A RESOLUTION EXPRESSING THE APPRECIATION OF THE SENATE TO ITS  
PRESIDING OFFICER, LIEUTENANT GOVERNOR  
REGINALD LEE HARRIS

Whereas, Reginald Lee Harris, Lieutenant Governor of North Carolina, in the performance of his constitutional duty as President of the Senate during the session now drawing to a close, has displayed abil-

ity, wisdom, fairness and impartiality in the performance of all of his duties and in presiding over the deliberations of this body; and

Whereas, every member of the Senate entertains for him the highest regard, and, during this session, has strengthened ties of friendship held for him; and

Whereas, it is the unanimous opinion of the membership of this body that Reginald Lee Harris, as Lieutenant Governor and as President of the Senate, has during his term of office rendered unselfish and devoted service to our State:

*Now, therefore, be it resolved by the Senate:*

SECTION 1. That we extend to our beloved Lieutenant Governor and President of the Senate, Reginald Lee Harris, our sincere wishes for his future health, happiness and prosperity, and say to him that we look forward with keen anticipation to further association with him in the public life and service of our State.

SEC. 2. That this Resolution shall be in full force and effect from and after its ratification.

INVENTORY OF OFFICE FURNITURE, DESKS, FIXTURES, AND OTHER PROPERTY OF THE STATE MADE IN ACCORDANCE WITH SECTION 6110  
(A), CONSOLIDATED STATUTES, VOLUME III

Principal Clerk's Office:

- One roll top desk.
- Four flat top desks.
- Eight typewriter tables.
- Five revolving chairs.
- Eight typewriter chairs.
- One book case.
- Four wire baskets.
- Eight clip boards.
- Seven bill files.
- One steel combination bill case.
- Four hat and coat trees.

A supply of rubber stamps, stamp pads, pen staffs, pen points, two stapling machines, wire staples, paper clips, small filing case and index, small supply of typewriter paper, second sheets, blank forms, stationery, bill covers, ink wells, paste, bill binders.

Lieutenant Governor's Office:

- One roll top desk.
- One flat top desk.
- One telephone desk.
- One typewriter desk.
- One revolving chair.
- Three plain chairs.
- One hat and coat tree.
- One typewriter chair.
- One wire basket.
- Small supply of letter paper, carbon, etc.



## Journal Clerk's Office:

One flat top desk.  
 Three typewriter desks.  
 Three typewriter chairs.  
 One revolving office chair.  
 One coat and hat tree.  
 Two wire baskets.

AMOUNT PAID SENATORS, OFFICERS AND EMPLOYEES OF THE SENATE  
 LIEUTENANT GOVERNOR'S OFFICE

Name	No. Days	Salary	Amount	Mileage
R. L. Harris, Lieutenant Governor.....	64	\$	700.00	

## PRINCIPAL CLERK'S OFFICE

S. Ray Byerly, Principal Clerk.....	85		844.00	\$ 9.00
Claude Lewis, Calendar Clerk.....	80		640.00	6.00
R. D. Bumpass, Asst. Calendar Clerk.....	80		640.00	10.60
Roy Herbin, Asst. Calendar Clerk.....	80		560.00	15.80
Mrs. Sadie Boyd Carver, Journal Clerk.....	78		624.00	
Grace Green, Asst. Journal Clerk.....	65		455.00	18.20
Mrs. Annie Elliott, Asst. Journal Clerk.....	77		539.00	
Mrs. Lorna Bell Broughton, Asst. Journal Clerk .....	80		560.00	
Miss Janet Palmer, Asst. Journal Clerk.....	78		546.00	16.00
Miss Florence Harris, Asst. Journal Clerk..	78		546.00	
Mrs. Henry M. London, Pay Clerk.....	78		546.00	
			\$6,500.00	\$ 75.60

## READING CLERK

John W. McDevitt.....	64	\$	512.00	\$ 64.80
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## SENATE STENOGRAPHERS

Mrs. Alice Edwards.....	68	\$	544.00	\$
Mrs. Henry J. Young, Jr.....	66		462.00	31.40
Mrs. J. W. Taylor.....	76		532.00	
Miss Ruth Sanders Rose.....	65		455.00	5.60
Mrs. J. A. Miller.....	64		448.00	57.60
Mrs. Anna I. Land.....	79		553.00	
Mrs. Goldie DuRant.....	63		441.00	21.00
Gloria Simpson .....	58		406.00	21.80
			\$3,841.00	\$ 137.40

## PAGES

Frederick Adams, Chief Page.....	64		288.00	1.60
Billy Allen .....	64		224.00	2.40
Woodson Broughton .....	64		224.00	
Loyall Bryson .....	64		224.00	37.90

Name	No. Days Salary	Amount	Mileage
Huntington Hardesty .....	64	224.00	12.80
Charlie Harris .....	64	224.00	5.30
Bobby Hayes .....	64	224.00	2.30
J. E. Johnson, Jr.....	64	224.00	3.10
Andrew Kirkpatrick .....	64	224.00	
Max Lindsay .....	64	224.00	10.20
Herbert McKeithan .....	64	224.00	8.20
Martin Michie .....	64	224.00	5.30
David Sharpe .....	58	203.00	2.90
Billy Ward .....	64	224.00	

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\$3,179.00      \$ 92.00

## PRINTED BILLS DEPARTMENT

Mrs. J. A. Pilley.....	65	455.00	4.60
Mrs. Herbert Ruffin.....	59	413.00	
Mrs. Helen M. Harris.....	64	448.00	22.00

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\$1,316.00      \$ 26.60

## SERGEANT-AT-ARMS

W. H. Scott, Sergeant-at-Arms.....	78	624.00	6.00
Rev. C. P. Jerome, Chaplain.....	64	288.00	
J. G. Clark, Laborer.....	64	288.00	5.50
J. W. Eatman, Laborer.....	64	288.00	3.50
Frank Kitchell, Laborer.....	64	288.00	17.90
Archie Moore, Laborer.....	64	288.00	1.00
B. H. Pate, Laborer.....	64	288.00	1.50
J. D. Riddle, Laborer.....	64	288.00	
S. H. Stephenson, Laborer.....	64	288.00	
George T. Yates, Laborer.....	78	351.00	3.50
George Burroughs (Col.), Laborer.....	67	268.00	
Hugh Davis (Col.), Laborer.....	85	336.00	
Sam Haywood (Col.), Laborer.....	64	256.00	
Joseph May (Col.), Laborer.....	66	264.00	
Leverne McCullers (Col.), Laborer.....	66	264.00	
Eddie Sanders (Col.), Laborer.....	80	320.00	
William Sanders (Col.), Laborer.....	66	264.00	
John Trotter (Col.), Laborer.....	66	264.00	5.60
Jack Lancaster, Laborer.....	64	288.00	
Charlie Woodall, Laborer.....	64	288.00	
Charles Lineberry .....	29	130.50	

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\$6,221.50      \$ 44.50

## COMMITTEE CLERKS

Earl Proctor Andrews, Propositions and Grievances .....	62	\$ 372.00	\$ 16.60
A. Corey, Education.....	64	384.00	24.00
Mrs. Charles Cullen, Mental Institutions.....	64	384.00	14.00



<i>Name</i>	<i>No. Days</i> <i>Salary</i>	<i>Amount</i>	<i>Mileage</i>
Catherine Davis, Public Roads.....	64	384.00	36.00
Mary W. Elkins, Courts and Judicial Dis- tricts .....	59	354.00	6.60
Mrs. John D. Findley, Finance.....	64	448.00	
Elizabeth Freeman, Counties, Cities and Towns .....	58	348.00	
Mrs. Helen W. Hughes, Salaries and Fees...	59	354.00	28.00
Mrs. W. P. Ingram, Agriculture.....	59	354.00	
Gloria Morgan, Rules.....	63	378.00	19.60
Mrs. Daphne B. Murray, Manufacturing, Commerce and Labor.....	59	354.00	10.60
Lucille Nash, Constitutional Amendments..	64	384.00	4.60
Helen Spence, Unemployment Compensa- tion .....	64	384.00	20.20
Mrs. A. H. Tucker, Public Health.....	63	378.00	31.60
Elizabeth Wade, Recodification.....	59	354.00	30.00
Frances Warren, Judiciary No. 2.....	64	384.00	20.20
Louise Wright, Banks and Currency.....	58	348.00	
Mrs. Hugh Young, Appropriations.....	65	455.00	
Marjorie Abernathy, Conservation and De- velopment .....	50	300.00	7.40
Mrs. James H. Cordon, Public Welfare.....	64	384.00	
Jack Morphew, Election Laws.....	64	384.00	74.60
		<hr/>	<hr/>
		\$7,869.00	\$ 344.00

## LIAISON OFFICER

Walter Murphy ..... 26 \$ 182.00

## WARRANT OFFICER

Mrs. Adelaide Linehan..... 45 \$ 315.00

## SUMMARY

<i>Departments</i>	<i>Per Diem</i>	<i>Mileage</i>	<i>Total</i>
Lieutenant Governor's Office.....	\$ 700.00	\$	\$ 700.00
Principal Clerk's Office.....	6,500.00	75.60	6,575.60
Reading Clerk .....	512.00	64.80	576.80
Senate Stenographers .....	3,841.00	137.40	3,978.40
Pages .....	3,179.00	92.00	3,271.00
Printed Bills .....	1,316.00	26.60	1,342.60
Sergeant-at-Arms .....	6,221.50	44.50	6,266.00
Committee Clerks .....	7,869.00	344.00	8,213.00
Liaison Officer .....	182.00		182.00
Warrant Officer .....	315.00		315.00
	<hr/>	<hr/>	<hr/>
	\$30,635.50	\$784.90	\$31,420.40

## MEMBERSHIP

Senators—50 at \$600.00.....\$30,000.00

Grand Total.....\$61,420.40





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